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MINUTES

of the

EXECUTIVE COUNCIL

CORNELIS STEENWIJCK

Mayor of New York City from August, 1668, until October, 1670,
and a Member of Lovelace's Council.

(From the Original Painting in the New York Historical Society.)

MINUTES of the EXECUTIVE COUNCIL of the Province of New York

Administration of Francis Lovelace
1668-1673

Volume II

COLLATERAL AND ILLUSTRATIVE
DOCUMENTS
XX–XCVIII

Edited by VICTOR HUGO PALTSITS, *State Historian*

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ILLUSTRATIONS

Portrait of Cornelis Steenwijck, with an Inset View of New Amsterdam ..... Frontispiece

He was mayor of New York City from August, 1668, until October, 1670; became a member of Governor Lovelace's Council, and altogether was one of the leading men in the province during this administration. From the original painting in the possession of the New York Historical Society, through whose courtesy it is reproduced here.

Petition of Richard Smith, Founder of Smithtown, Long Island, to Governor Lovelace, September 6, 1671, on his Boundary Dispute with the Town of Huntington over Nesaquake Lands..... Opposite p. 434

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Original Warrant for the Arrest of Daniel Lane, with Autograph of Governor Lovelace, and Seal.. Opposite p. 801
Map entitled: *Totius Neobelgii Nova et Accuratissima tabula*, with an Inset View of New York, published at Amsterdam, by Carolus Allard..... In Pocket

From an original exemplar of the engraved map in Harvard College Library, through whose courtesy it is reproduced here for the first time in exact size. The map is an amplified copy of the Nicolas J. Visscher prototype, which was first published by Visscher at Amsterdam, about 1655, and which persisted for nearly a century under other names. The Allard map has additional or changed place-names, *e.g.* " Schenechtade " (founded in 1662), " Wiltwyck als Kingstoun " (renamed in 1669), " Maerbeltown " (erected in 1669) and Philadelphia (laid out in 1682). It is found as one of the maps that comprise Allard's *Atlas minor*, published compositely at Amsterdam about 1696, it is supposed, because three other maps in the volume bear that date.

The engraved view of " New Amsterdam lately named New York " represents the third known type and makes its first appearance on this Allard map. It was reissued, subsequently, by Seutter and by Reiner and Joshua Ottens in atlases published by them. Asher supposed that this view was engraved by Romeyn de Hooghe and it is believed to be a copy from an original sketch made not later than 1670. Another view of the town, also published by Carolus Allard, appears in his *Orbis habitabilis oppida et vestitus*, published at Amsterdam, about 1690.

The earliest engraved view of New Amsterdam, representing the settlement as it appeared about 1630, is found on p. 21 of *Beschrijvinghe van Virginia, Nieuw Nederlandt* [etc.], published at Amsterdam by Joost Hartgers, in 1651. It is type No. 1 and appeared again on p. 9 of the first edition of Adriaen vander Donck's *Beschryvinge van Nieuw Nederlant* (Amsterdam, 1655). The second type of an engraved view is an inset on the Nicolas J. Visscher map of about 1655, and pictures the town about 1640. Mr. J. H. Innes supposes that this view was derived from a sketch by Augustine Heerman. A section of the map and a poor copy of the view form a folded plate in the second edition of Vander Donck's booklet, published in 1656. This view also persisted for some time. Ogilby (1669) and Montanus (1670) give nondescript copies of it, and there are others. The Allard view, as already stated, forms the third engraved type.

COLLATERAL AND ILLUSTRATIVE

DOCUMENTS

XX—XCVIII

No. XX.

ALBANY — CAPTAIN JOHN BAKER.

Instructions for Cap[n] John Backer [*sic*] for y[e] well regulating of y[e] Militia and other Affaires at Albany.[1]

O. W. L. 2: 229 (NYSL)

1668 August

1 Because t'is in vaine to give Instructions unlesse you observe them punctually; you are strictly charged and required, to read them over frequently, and not to follow yo[r] owne humo[r] but my ord[rs]

2 You are to keepe a Constant guard in y[e] Fort: But since there is not Evident danger of Force or Surprisall, you may lessen the duty of y[e] Sould[rs], whereby they may haue liberty to advance them selves by worke or trade.

3 You are to keepe good ord[r] and discipline with y[e] Sould[rs] not lending to easy an eare to their Complaints against their Land Lords; But where you find the Comp[tt] reasonable you are to make it knowne to y[e] Comissaryes, who are Empowred to giue redresse therein against their Land Lords or any other Inhabitants who shall offer violence of Iniury to the Sould[rs]

4 If any of y[e] Inhabitants made a iust Complaint against a Sould[r] the punishment of y[e] Sould[r] belongs onely to yo[r] selfe.

5 In matters Capitall or treatyes with y[e] Indians, you are to sitt in y[e] Fort with y[e] Schout and Com̃issaryes as y[e] upper Co[rt] whereof you are to bee president and upon Equall

[1] Another record of these instructions, without date, is in *New York Colonial Manuscripts*, vol. 22, p. 10.

O. W. L. 2: 229 (NYSL) division of voices, to have the Castinge and decisiue voyce: But in the Ordinary Co^rts for Civill affaires you haue nothing to doe.

1668 August 6 You are to give the word to y^e Militia offic^r of y^e Towne and Especially when any Report is brought of any danger to Cause more strickt guards to bee kept.

7 You are to keepe a faire Correspondence with y^e Comissaryes and toward all the Inhabitants and Endeavo^r to live as Brothers together. Avoiding all occasions of Publick Controversy or falling out: But if you haue any greevance make it knowne calmely without heate or passion to y^e Court; And if they doe not give redresse you are to remitt y^e matter to mee as it was delivered to y^e Co^rt

8 Lett not yo^r eares bee abused with private Storyes of y^e Dutch, being disaffected to y^e English, for generally wee cannot expect they love us; But when you haue any sufficient Testimony against any Dutchman of words or Actions tending to y^e Breach of Peace or scandalous defamac̃on, deliver over the testimonyes to the Comissaryes, from whome I expect Justice shall bee done.

9 You are to Cause the guard house to bee repaired, as also other necessaryes repaires to bee made, with as little expence as is possible, knowing the narrowness of our present Condic̃on.

10 You are to receive the third of y^e Fines from y^e Scout as they are establisht under my hande as also to Continue the practise of giving ticketts for Entryes of goods upon Sloopes as formerly not to encrease the Rates but by each Sloope sende y^e Entry signed with yo^r hand to M^r van Ruyven

11 If it shall at any time happen that y^e Indyans com̃itt any violence at or neare Albany, you are to Joyne in Councell with y^e Comissaryes, what is best to bee done till my further directions can bee knowne.

12 I haue taken that Care for y^e^ provisions that you shall not meddle further therein. O. W. L. 2: 229 (NYSL)

13 You are from time to time as occasion presents in Company with y^e^ Comissaryes to give Audience to y^e^ Sachem of All nations: And after advice with y^e^ Comissaryes, returne them answers, suitable to their proposalls. You are to receive their presents: And make them presents at yo^r^ owne Charge. 1668 August

14 You are to receive from y^e^ Pachter of y^e^ great Accise two hundred guild^rs^ Seawan for y^e^ firinge of yo^r^ house the Commissaryes will pay the heiringhe of y^e^ Scowe alone without hands for yo^r^ use twice in y^e^ yeare

15 There are some Sould^rs^ who haue undertaken to furnish the Guard and Sould^rs^ quarters in Towne with sufficient firewood yearely for Six hundred guild^rs^ Seawan the Cõmissaryes will lende them y^e^ Scowe six times at their Charge But y^e^ Sould^rs^ are to man y^e^ Scowe

16 You are to see that those bedds and appurtenances, which were delivered to you bee distributed amongst y^e^ Sould^rs^ according to their numbers bee not any wayes embezeled nor abused by them since an acc^t^ will be required from you of them.

17 You are as often as occasion presents to send to mee, to giue an acc^t^ of y^e^ State of all affaires and transactions with you: And in Case of great importance and ĩmergences, you are to sent expresse Messengers either Christians or Indyans according to y^e^ Seasonableness of the yeare by either of w^ch^ that can perform the yourney [*sic*] best.

18 And forasmuch as it appeares evident to mee that severall Comp^lts^ being exhibited against the Burgers of this Towne whereof some of them are very meane in their nature, others of some yeares standing all tending but to y^e^ unsettling of mens mindes: And rising up those Seedes of distrust and

O. W. L. 2:229 (NYSL)

1668 August

Jealousie amongst us, which aboue all things ought principally to bee avoyded: My will and pleasure is that to this present there bee a Generall Amnistia and Oblivion And for ye future that no Complaints bee brought before mee but such as are of High nature and the proofes grounded upon sufficient Testimonyes and to referre Crimes, of smaller nature to ye Comissaryes before whome they properly lye.

These Instructions were given at Albany by both the Governors in August 1668.[1]

No. XXI.

KATHERINE HARRISON AND WITCHCRAFT AT WESTCHESTER.

C. A. 2:563 (NYSL)

An Ordr for Katherine Harrison to Remove from Westchestr

1670 July 7

Whereas Complaint hath beene made unto me by ye Inhabitants of Westchestr agt Katherine Harrison late of Wethersfeild in his Maties Colony of Conecticott widdow, That contrary to ye consent & good liking of ye Towne she would settle amongst them, & she being reputed to be a person lyeing undr ye Supposicon of Witchcraft hath given some cause of apprehension to ye Inhabitants there, To ye end their Jealousyes & feares as to this perticuler may be removed, I haue thought fitt to ordr & appoint that ye Constable & Overseers of ye Towne of Westchestr do giue warning to ye said Katherine Harrison to remove out of

[1] This seems to be the only known official instrument in which Nicolls and Lovelace acted jointly, on the eve of the departure of the former from the province.

their prcincts in some short tyme after notice giuen, & they are likewise to admonish her to retorne to ye place of her former abode, that they nor their neighbours may receiue no furthr disturbance by her, Given undr my hand at ffort James in New Yorke this 7th day of July 1670. C. A. 2:563 (NYSL) 1670 July 7

[Francis Lovelace.]

An Ordr for Katherine Harrison & Captn Richard Panton to appeare at ye ffort before ye Governor C. A. 2:577 (NYSL)

Whereas Complaint hath beene made unto me by ye Inhabitants of Westchestr agt Katherine Harrison widdow That she doth neglect to refuse or obey my late Ordr concerning her removall out of ye said Towne, These are to require you that you give notice unto ye said Katherine Harrison as also unto Captn Richard Panton at whose house she resydeth, That they make their personall appearance before me in this place on Wednesday next being ye 24th of this Instant month, when those of ye Towne that haue ought to object agt them doe likewise attend, where I shall endeavor a Composure of this difference betweene them. Given undr my hand at ffort James in New Yorke this 20th day of August 1670. [Francis Lovelace.] 1670 Aug. 20

To ye Constable of Westchestr

A warrant to ye Constable of West-chestr to take an Account of ye Goods of Katherine Harrison. C. A. 2:584 (NYSL)

These are to require you to take an Account of such Goods as haue lately beene brought from out of his Maties Colony 1670 Aug. 25

C. A. 2: 584 (NYSL) of Conecticott unto Katherine Harrison, & having taken a Note of ye ꝑticulers that you retorne ye Same unto me for ye doeing whereof this shall be yor warrant, Given undr my hand at ffort James in New Yorke this 25th day of August 1670

1670 Aug. 25

[Francis Lovelace.]

To ye prsent Constable
of Westchester.

C. A. 2: 585 (NYSL)

An Ordr concerning Katherine Harrison.

1670 Aug. 25

Whereas seuerall Adresses haue beene made unto me by some of ye Inhabitants of Westchestr on behalfe of ye rest desiring that Katherine Harrison late of Wethersfeild in his Maties Colony of Conecticott widdow at prsent residing in their Towne may be ordered to remove from thence & not permitted to stay wthin their Jurisdiction upon an apprehension they haue of her grounded upon some troubles she hath layne undr at Wethersfeild upon suspition of Witchcraft, the reasons whereof do not so clearely appeare unto me, Yett notwthstanding to giue as much satisfaction as may be to ye Complts who prtend their feares to be of a publique Concerne, I haue not thought fitt absolutely to determyne ye matter at prsent, but do suspend it untill ye next Genrll Cort of Assizes, when there will be a full meeting of ye Councell & Justices of ye peace to debate & conclude ye same, In ye meane tyme ye said Katherine Harrison wth her Children may remaine in the Towne of Westchestr where she now is wthout disturbance or molestation, she having given sufficient security for her Civill carriage & good behaviour. Given undr my hand at ffort James in New

Yorke this 25th day of August in ye 22th yeare of his Maties Raigne Annoq3 Domini 1670. [Francis Lovelace.][1]

C. A. 2:585 (NYSL)

1670 Aug. 25

An Order for ye Widdow Harryson.

C. A. 2:670 (NYSL)

1671 Apr. 7

Whereas I am given to understand that one ffrancis Yates of your Towne haveing gotten into his Hands severall Papers and Writeings in Trust belonging to the Widdow Katherine Harryson now resideing amongst you, & upon severall prtences (though it may be very frivolous) doth detaine them contrary to her good Will & likeing; These are to require you that you forthwth demand & cause ye said ffrancis Yates to deliver unto ye said Katherine Harryson or her Order all Papers or Writeings left by her in Trust with him, or that hee Hath otherwise contrived of hers into his Custody; And that you render Accot hereof speedily unto mee. If ye said Robert Yates hath any prtences of Debt, Accot or Damage, against ye said Katherine Harryson, ye due Course of ye Law ought to be prosecuted, & noe person allowed to be Judge in his own Cause. Given under my Hand at ffort James in New Yorke this 7th day of Aprill. 1671.

[Francis Lovelace.]

To ye Constable & Overseers
of West-chester.

[Lovelace to the Constable of Westchester.]

C. A. 2:691 (NYSL)

1671 May 19

Whereas I am given to Vnderstand yt upon pretence of Moneys due from ye Widdow Harryson for ye Portion of

[1] Katherine Harrison, having been bound over to appear before the General Court of Assizes, held in the city of New York, was by an order of that court on October 7, 1670, released from her bond and given liberty " to remaine in

C. A. 2:691 (NYSL)

1671 May 19

one of her Daughtrs marryed to one of ye Sons of Thomas Hunt Senr, you have layd an Attachmt upon her Goods as shee was about to remove them from yor Towne, as also upon ye Boate of Theophilus Ellsworth who was hired to Transporte them; ye wch is contrary to Law for any Constable without a Justices Warrant, to Attach upon ye Accots of Debt above ye vallue of ffive pounds. And it appearing not that shee hath made any Engagement to pay any Sume of Money to her Daughter in Marriage with her Husband, & doth tender Security to make Answer to ye Suite of ye said Thomas Hunt & his Son; These are to require you if it appeare as is informed, that you forthwith release both ye Goods & Boate under Attachmt, takeing Mr ffrench his Engagement that ye said Widdow Harryson by her selfe or Attorney shall make Answer to their Complaint at ye next Court of Sessions to be held at Jamaica for ye North-Rideing if any suite shall legally be Comenced against her. Given under my hand at ffort James in New Yorke this 19th day of May 1671.

[Francis Lovelace.]

[To the Constable of Westchester.]

G. E. 4:8 (NYSL)

A Warrant on ye behalfe of ye Widdow Harryson &c:

1671 July 19

These are to require you to aid & Assist Katharine Harryson Widdow, or whom shee shall Employ in makeing Enquiry after & findeing out such Goods as belong to her; ye wch (if found) you are to cause to be delivered into ye possession of, or to whom shee shall appoint, for ye doeing whereof

the Towne of Westchester, where shee now resides, or any where else in the Governmt dureing her pleasure," as nothing appeared against her.—*Court of Assizes*, vol. 2, pp. 238, 239, 255.

This shall be your Warrant. Given under my Hand at fforte James in New Yorke this 19th day of July. 1671.

ffran: Lovelace.

To any of ye Constables or other Officrs upon Long Island or other parts within this Governmt

G. E. 4:8 (NYSL)

1671 July 19

No. XXII.

LAND OF MARITIE DAMEN AT CANESTAGIONE.

An Ordr for Maritie Damen quietly to possesse her Land at Albany.[1]

C. A. 2:546 (NYSL)

Whereas Maritie Damen ye wife of Cornelijs van Nes of Albany did obtayne a Patent from my Predecessor Coll Richard Nicolls for a certaine peice of Land called Canestagione, ye wch seuerall persons as I am informed who haue since purchased Land neare unto it, upon prtence of an Ordr that all those Lands should be layd out & devided into Lotts doe giue out that they will wthout ye Consent of ye Owner divide & cast Lotts for ye same although she bee willing of her selfe to obey ye ordr made concerning ye Erecting of houses in a Neighborhood, These are to require all persons whome this may Concerne That they forbeare giuing any molestation or disturbance unto ye said Maritie Damen in ye Enjoymt & possession of her said Land upon any prtence whatsoever, but that all matters relating there-

1670 June 8

[1] The place in the original heading is an error for Canestagione. Her Albany house-lot was not involved in the case.

C. A. 2:546 (NYSL)

unto doe remaine as they are untill I shall come up my selfe or send some persons to giue ordr therein as ye nature of ye Cause shall require, Given undr my hand at ffort James in New Yorke this 8th Day of June 1670.

1670 June 8

[Francis Lovelace.]

G. E. 4:283 (NYSL)

A Confirmation of an Island unto Jan Clute, wch hee bought of Helletije Cornelissē.

1671 Aug. 3

Whereas Helletije Cornelissen hath sold & transported unto Jan Clute all her Right, Title & Interest to a certaine Island in the Maques River near Canestagia called the Great Island, together with the Patent shee obtained for it of my Predecessor Coll: Richard Nicolls, I doe by these Presents Ratify & Confirme the same unto the said Jan Clute his Heyres & Assignes forever: Together wth the six Morgan of Land Ordered by my Approbation unto the said Jan Clute out of Maritien Damens Land; for the which shee is to have the Consideration agreed upon, as more particularly [*sic*], as more particularly is sett forth in the Prothocoll or Records of the Commissaries at Albany. And whereas ye said Jan Clute & Herman Vedder hath likewise made Purchase from the Indyan Proprietors of a certaine small Island in the same River, having to the East the great Island aforementioned, (a Kill running between them) on the Southside the Main Land, on the West & North the River, wth which it is surrounded. And the said Jan Clute having by Agreemt procured ye Interest of Herman Vedder, soe that it wholly appertaines to him; By Vertue of the Commission & Authority unto mee given by his Royall Highnesse, I doe also Ratify & Confirme ye said Island & Premisses to the said Jan Clute his Heyres & Assignes forever. Given under

my hand & Seale at ffort Albany this 2d day of August in ye 23d yeare of his Mãties Reigne, Annoq: Domini 1671. G. E. 4:283 (NYSL)

ffran: Louelace. 1671 Aug. 2

No. XXIII.

NEW YORK CITY — PENALTY FOR STEALING CANOES AND BOATS.

An Ordr concerning ye Stealing of Canoes. C. A. 2:617 (NYSL)

Whereas Divers persons do prsume to take or Steale away Canoes as they are fastned by ye water syde, & many tymes to cutt painters & other Cordage belonging to boats or Vessells in ye harbour, Contrary to ye Ordrs heretofore made by ye Mayor & Aldermen of this Citty of wch many Complts haue beene made unto me & Redresse desired therein, I haue by & wth ye advice of my Councell thought fitt to publish & declare, That what ꝑson or ꝑsons Soever shall henceforth steale or take away any Canoe or boate fastened by ye water syde or at Anchor in ye River or shall Cutt any Painter or Cordage belonging to any boat or Vessells in this harbour or elsewhere wthin ye Governmt The ꝑson or ꝑsons so offending shall be lyable to a Severe fyne Inprisonemt wthout bayle or Mainprise or Corporall punishmt according to ye Demeritts of ye fact. Given undr my hand at ffort James in New Yorke this 5th day 1670 Nov. 5

C. A. 2 : 617 (NYSL) of Novembr in ye 22th yeare of his Maties Raigne Annoqꝫ Dñi 1670.

[Francis Lovelace.]

1670 Nov. 5 To ye Mayor & Aldermen of this Citty to cause this Ordr forthwth to be publisht at ye Statehouse.

No. XXIV.

WHOREKILL, DELAWARE — ABOLITION OF THE CUSTOMS.

C. A. 2: 480 (NYSL) An Ordr for Captn Martyn Cregier to receiue ye custome for all European goods imported at ye Hoare Kill (vizt) 10. ꝑ Cenť.

1669/70 Mar. 15 Whereas I am giuen to understand that all European goods imported at ye Hore kill in Delaware bay did heretofore pay custome at ye Rate of 10. ꝑ Cenť & all furres or Peltry Exported from thence ye same Rate, wch turned to some advantage towards ye support of ye Governmt, Upon mature advice & consideration had hereof I haue thought fitt to renewe ye former Custome, & do therefore hereby ordr & appoint Captn Martyn Cregier who is a person well verst in ye Trade of those partes & very well knowne to ye people there both Christians & Indians to be receiuer & collector of ye customes at ye Hore kill, where by himselfe or his deputy he is to receiue 10. ꝑ Cenť of all European goods imported there whethr comeing from this place Newcastle in Delaware or any other parte, & Tenne per Cenť also for all furres or Peltry Exported from thence

according to former custome & usage on that behalfe, & all persons whatsoeuer trading thither or from thence to any other place are to take notice hereof & to obey this my Commission und^r y^e penalty of confiscation of their goods if they shall presume to doe otherwise The said Capt^n Cregier standing obliedged to be answerable here for all such custome as shall be receiued by himselfe or Deputy there, of w^ch he is to render unto me a due & Exact Account, Given und^r my hand this 15^th day of March in y^e 22^th yeare of his Ma^ties Raigne Annoq Domini 1669. [Francis Lovelace.]

C. A. 2:480 (NYSL)

1669/70 Mar. 15

An Abolition of a Late Ord^r for y^e Customes at y^e Whore kill.

C. A. 2:604 (NYSL)

Whereas I Received a Petition from y^e Inhabitants at y^e Whore kill in De la ware Bay wherein is represented unto me y^e great Inconvenience of y^e late Imposition of 10. ℔ Cent upon all furres & peltry Exported from thence, The w^ch hath no way redounded to a publique good as was proposed, but on y^e Contrarye in Some short tyme might be y^e Occasion of y^e losse of Trade there, Upon due & mature consideration had hereupon by & w^th y^e Advice of my Councell & in compliance to y^e Petition and request of y^e Inhabitants as well as for an Encouragem^t unto them I have thought fitt to remitt & abolish y^e late ord^r for Customes there, Giving and graunting unto them y^e Same priviledges & libertye they had formerly, provided it doth not extend to y^e abuse of selling too great quantityes of Liquors to y^e Indians, nor any way to p^rjudice their neighbo^rs of New Castle upon w^ch place they are to haue their dependance. Given und^r my hand & sealed w^th y^e Seale of y^e Province this 22^th day of Octob^r in y^e 22^th yeare of his Ma^ties Raigne Annoq Domini 1670. [Francis Lovelace.]

1670 Oct. 22

No. XXV.

NESAQUAKE LANDS CONTROVERSY — RICHARD SMITH *vs* THE TOWN OF HUNTINGTON, LONG ISLAND.[1]

Deeds 2: 172 (Sec. State)

Entred for M^r^ Smith of Nesaquake, this Indyan Deed, the 2^d^ day of March 1666.

1650 Sept. 29 and 1663 May 28

Recorded 1666/7 Mar. 2

Articles of Agreem^t^, betweene Naseconseke, Sachem of Nesaquanke of the one part, and Edmond Wood, Jonas Wood, Jeremy Wood, Timothy Wood, and Dan.^ll^ Whitehead, of the other, and Stephen Hudson.

This Writing wittnesseth That I Nasseconsack, Sachem of Long Island, do sell and make over to the aforesaid

[1] The controversy between Richard Smith, founder of Smithtown, L. I., and the town of Huntington about jurisdiction over the Nesaquake lands is very intricate. Accordingly, a large body of records is presented in this group, including the proceedings in the Court of Assizes. On March 27, 1666, Matthias Nicolls wrote a letter to the Constable and Overseers of Seatalcott (Brookhaven), on the order of Governor Nicolls, and in behalf of Smith, stating that the governor had confirmed the agreement between Connecticut and Smith as to the Nesaquake lands and for which Governor Nicolls had granted Smith a patent "with the Priviledge that it shall bee free from all Rates and Taxes, from the first Settlement, untill a certaine Terme of yeares shall bee expir'd as in the Patent is exprest," and qualifying the same as meaning "from y^e^ Time of his [Governor Nicolls's] arrivall here [New York], untill such a Time, the Land shall bee free."—*Orders, Warrants, Letters*, vol. 2, p. 34. A few days later, on April 3, Matthias Nicolls informed Smith that it was the governor's pleasure "the Time of yo^r^ Lands at Nesaquank, being free from Rates, shall begin onely from the day of the date of your Patent, And what you have beene Assessed before for those Lands, is to bee paid to the Officers Empowred by the Law to receive it."—*Ibid*, p. 40. In an agreement entered into between the town of Seatalcott and Smith, on April 15, 1666, it was provided that "nothing in the said Patent exprest, shall hinder y^e^ said Rich^d^ Smith from Trying his Title at Law, to any Land that now is, or hereafter may bee in question betweene him and the Towne of Seatalcott, or any others."—*Ibid*, p. 42.

Deeds 2: 172 (Sec. State)

1650 Sept. 29 and 1663 May 28

Recorded 1666/7 Mar. 2

ꝑties, Edmund Wood, Jonas Wood, Jeremy wood, Timothy wood, Stephen Hudson and Daniell Whitehead, a certaine quantity of Land, beg̃ing at a River called, and com̃only knowne by the name of Nesaquanke River, And from that River, Eastward to a River called Memenusack, lying on y^e^ North side of Long, and on the South side from Conecticott, foure Necks westward, promising, and by vertue of this Writing do promise, that the aforesaid ꝑtyes, shall quietly Possesse and Enjoy, the said quantityes of Land, w^th^out any trouble or disturbance, from any other Indyans whatsoever, In consideracõn of which Land, wee the aforesaid ꝑties do promise to Pay unto the aforesaid Naseconsake, Six Coates, Six ffathom of Wampome, Six Howes, Six Hatchets, Six Knives, Six Kettles, one hundred Muxes, to bee paid, on or before the 29^th^ of September 1650; In witnesse whereof, wee have sett to Our hands

Nasconseck X his Marke.
Wegatus X his Marke.
The Sachems Jetes X Marke for Gacus
The Sachem for Ooninecus X
Matacis X his Marke.

This is a true Copy of y^e^ Originall,
perused by us
Jonas Wood,
Tho: Weekes[1] X his Marke.

I Jonas Wood, do hereby Testify, That I, and Jeremy wood, and Daniell Whitehead, went to view the foure Necks of Meadow, lying westward from Conecticott River, mentiond in the Bill of Nessaquanks Purchase, and there lived an old Homes and his Sonne, whose name was Wanequaheag,

[1]Thomas Wilkes.

Deeds 2: 172 (Sec. State) *Cont.*

who owned those Necks, and wee told them that Nasconsak, had undertaken to sell us those foure Necks, and they seemed very willing.

Jonas Wood.

May 28th
1663.

Deeds 2:252 (Sec. State)

Huntington.

Articles of Agreemt betwixt Rasaocon, Sagamore of Matinnicock, of ye one party, and Richard Holbrooke, Robert Williams & Dan: Whitehead, of the other party wittnesseth as followeth.

1653 Apr. 2

Recorded 1667 Nov. 2

Know all men, whom this prsent writing, may any way concerne, That I Rasaocon, do Sell and make over unto the aforesaid Partyes (vizt) Richd Holbrooke Robt Williams and Dan Whitehead, their Heires, Executors or Assignes a certaine quantity of Land, lying and being upon Long Isld Bounded upon the west side, with a River comonly called by the Indyans Naccaquatack, and on the North side with the Sea, and going Eastward to a River called Oxeatcontijck, and on the South side, to the utmost part of my Bounds; Promising, and by vertue hereof, I do promise, to free the afore said Land, from all Title or Claime that shall bee made unto it, by reason of any former Act; In consideracon of wch Land, the aforesaid Holbrooke, Robert Williams and Daniell Whitehead doth promise to pay unto the said Rasaocon, as followeth, six Coates, six Kettles, six Hatchetts, six Howes, six shirts, Ten knives, six fathom of wampome, thirty Muxes, thirty Needles: ffurther ye said Rasaocon doth promise, to go or send some time in twenty dayes, to shew and marke out the Bounds, And in case it prove not according to expectacon, then this writing to bee void, and of non effect, But in case it bee, then this writing to stand in full force, power & vertue, wittnesse Or hands ye 2d of Aprill 1653.

The Marke X of y^e Sagamore. Rich^d Holbrooke
The Marke X of Michama. his R Marke.
The Marke X of Honokes. Robt Williams.
The Marke X of Syhar, Daniell Whitehead.
The Marke X of Poynoypa.
The Marke X of Navamarawas.
The Marke X of Mahenas,
The Marke X of Onamycas
The Marke X of Monytong.
The Marke X of Poanepou
The Marke X Peweton.
The Marke X Nascovet.
The Marke X of Suauspack.
The Marke X of Nemapapam. This is a true Copy of y^e
The Marke X of Vampas. Originall Deedes, wittnesse
The Marke X of Nasceke. our hands.
The Marke X of Yapacaman. Tho: Richards.
The Marke X of Seanomy. Moses Johnson.
The Marke X of Ancehepim.
The Marke X of Wercocem.
The Marke X of Winhampas.
The Marke X of Asgeloves.
The Marke X of Mamavam.
The Marke X of Tiompom.

Deeds 2:252 (Sec. State)

1653 Apr. 2

Recorded 1667 Nov. 2

Entred for the Towne of Huntington this following Indyan Deed, the 15th day of October 1666.

Deeds 2:153 (Sec. State)

This Indenture made in the yeare 1656, in or upon y^e last day of July, betwixt Asharoken, Matinicock Sachem, and the rest of the Indyans, owners w^th him, on y^e one part, And Jonas Wood, William Rogers, Thomas Wilkes, for

1656 July 31

Recorded 1666 Oct. 15

Deeds 2:153 (Sec. State)

1656 July 31

Recorded 1666 Oct. 15

themselves, and y^e^ rest of their Associates, on y^e^ other part wittnesseth, That I Asharocken, have sold unto Jonas Wood, Willm Rogers, Thomas Wilkes, all the Meadow, ffresh and Salt, lying and being upon the North side of Long Island, from Our fformer Bounds, Cowharbour Brooke, to Nesaquacke River, all y^e^ Meadow w^th^in these Bounds, west and East, and to the North Sea, to as farr as Asharockens Bounds, goeth Southwards, as the Neck called Eatons Neck, Crabb Meadowes, and all the rest of the Meadowes, w^th^in y^e^ aforesaid Bounds, w^th^ all the Herbage that is, or shall bee hereafter, upon y^e^ wood Lands w^th^in the aforesaid Bounds, to bee the aforesaid Jonas'es, William and Thomas'es, to them and their Associates, Heires and Executo^rs^ for ever, reserving to the Indyans, Liberty to Plant and Hunt, w^th^in their aforesaid Bounds, And y^t^ for and in consideracõn of 2 Coates, 4 Shirts, 11 q^ts^ of Liquo^r^ and 11 Ounces of Powder; In wittnesse whereof, wee have sett to Our hands.

Asharocken X Marke.
Ahamah X Marke
Syhar X Marke
Roger X Marke
Poyneppa X Marke
Mamarowes X Marke

Jonas Wood.
William Rogers
Thomas Wilkes.

Mohenes X Marke
Mamarad X Marke.
Manateonge X Marke.

Deeds 2:251 (Sec. State)

Recorded for the Towne of Huntington, these following Indyan Deeds, the 2^d^ day of November 1667.

1656 July 31

Recorded 1667 Nov. 2

This Indenture made in the yeare 1656, in or about the last day of July, betwixt Asharoken, Montinnicock Sachem, and the rest of the Indyans, owners with him, on the owne part, and Jonas wood, William Rogers, Thomas Wilkes;

Deeds 2:251 (Sec. State)

1656 July 31

Recorded 1667 Nov. 2

for themselves and the rest of their Associates, on the other part wittnesseth; That I Asharoken, have sold unto Jonas wood, william Rogers, Thomas wilkes, all the Meadow, ffresh and Salt, lying and being upon the North side of Long Island, from Our former Bounds, Cowharbo^{r} Brooke, to Nesaquack River, all the Meadow within those Bounds, west and East, and to the North Sea, to as farr as Asharokens Bounds goeth Southwards, as the Neck, called Eatons Neck, Crabb Meadowes and all the rest of the Meadowes wthin the aforesaid Bounds, with all the Herbage that is or shall bee hereafter, upon the wood Lands, within the aforesaid Bounds to bee the aforesaid Jonas his, Willms and Thomas his, to them and their Associates, heires and Ex^{rs} for ever; Reserving to the Indyans, Liby to Plant and Hunt, wthin the aforesd Bounds; And that for and in consideracon of two Coates, foure Shirts, Seven quarts of Liquo^{r}, and Eleven ounces of Powder; In wittnesse whereof, wee have sett to Our hands.

Asherokenes X Marke.
Mahamahs X Marke.
Syhars X Marke.
Rogers X Marke.
Poyneipa's X Marke.
Mamarows X Marke.
Mahenes X Marke.
Mamarod's X Marke.
Manateonges X Mke

Jonas wood
Wm Rogers.
Tho: Wilkes.

A true Copy of y^{e} Deed.
wittnesse
The A marke of
Ambrose Sutton.
The Marke O of
Rich^{d} Bush. [1]

Deeds 2:253 (Sec. State)

1657 June 1

Recorded 1667 Nov. 2

Huntington.

This Writing, Testifyeth an Agreem^{t} and Bargaine made, betweene Jonas wood of Huntington on Long Island, on the one party, and Mentaquet Sachem, the other party

[1] Richard Brush.

Deeds 2: 253 (Sec. State) 1657 June 1 Recorded 1667 Nov. 2

Wittnesseth, That the aboue said Jonas wood, hath for himselfe and the rest of his Neighbo[rs] of Huntington, aforesaid, Bought five Necks of Meadow, lying next adjoyning to Messapeagus Sachems Land; And the abouesaid Jonas Wood, doth hereby engage himselfe, for and on the behalfe of his Neighbo[rs] to pay, or cause to bee paid, unto the abovesd Sachem, of Meantauquett, twelve Coates, twenty Howes, twenty Hatchetts, twenty knives, ten pound of Powder, ten pounds of Lead, and one greate Kettle, and one Hatt p[r]sent in hand; And doth further promise, to give to y[e] said Sachem, every yeare a Coate, for six yeares, next ensuing the date hereof; And the above said Sachem Wyandance, for and in consideracon of these above said goods, doth give full right and propriety, to the aforesaid Jonas and his Neighbo[rs], and their heires for ever, to all the said five Necks of Meadow, and will free them from all Claimes & Titles, that any other may lay thereto; In wittnesse whereof, both ℔tyes interchangeably, put to their hands, this first day of June 1657.

In y[e] p[r]sence of
Lyon Gandenay.[1]
Thomas Talmage
Benjamine Price.

Wyandance X his Marke
Sachem of Maentaquit.

In presence of
John Stickling.
Sam[ll] fferman.
as wittnesse
The Marke A of
Ambrose Sutton
The O Marke of
Rich[d] Brush

This may wittnesse to all, That Kecoseacock the Sachem of Secoutoke, have resigned up all that right or Interest, hee might any wayes lay unto the Necks of Meadow, expressed above in this writing, and do confirme the Bargaine and Sale of y[e] Mantaukett Sachem, as wittnesse my mark Kecossechock X his Marke

[1] Lyon Gardener.

August the 17th 1658.

Deeds 2:254 (Sec. State)

Huntington.

1658 Aug. 17

Recorded 1667 Nov. 2

Be it knowne unto all men, by this writing, That I Wayandance Sachem of Paumanake, or by ye English called Long Island, Do by these acknowledge to have sold unto Henry Whitnee of Huntington, for the use of the whole Towne of Huntington, I say I have sold to him for them, three whole Necks of Meadow Land, lying on the Southward side of their Towne, and westerly from the six Necks, which wee Bought before these three Necks of Mashapeake Land, I say I for myselfe & my heires, for ever, have sold as above mentioned, and have sent my Agent Checonoto, to deliver it upon condic̃ons as followeth, first they shall pay, or cause to bee paid to mee, or my Assignes, these following goods punctually, That is first twelve Coates, each Coate being two yards of Trucking Cloath, twenty pounds of Powder, twenty Dutch Hatchetts, twenty Dutch Howes, twenty Dutch Knives, ten shirts, two hundred of Muxes, foure paire of hansome Stockings, one good Dutch Hatt, and a great faire Looking Glasse; And for Chicanoe for his Wages and going to marke out the Land, shall have for himselfe, one Coate, foure pound of Powder, six pound of Lead, one Dutch Hatchett, as also Sixteen Shillings in Wampome they must send by Chicanoe, wch being punctually paid, then shall I deliver this Deed, which shall bee for the free & quiet possession, of them & their heires forever; And in the meane time, it shall remaine in the hands of Lyon Gandon.[1] In wittnesse whereof, wee have here unto sett our hands, the day above written.

Richd Brush O his Marke.

Wittnesse,

Marke

The A of Ambrose Sutton.

[1] Lyon Gardener.

Deeds 2: 182 (Sec. State) March 6th 1666. This following Assignmt was Recorded for Mr Richard Smith of Nesaquacke.

1658/9 Mar. 2 — Recorded 1666/7 Mar. 6

Know all Men, by these prsents, That I John Ogden, Senior, of Northampton, do Assigne, Alien and sett over, unto Mr Thomas Matthew of Huntington, his Heirs, Executors Admtors and Assignes, one Eighth Part of the Purchase of Nesaquake, being my Right in the said Purchase; In witnesse where unto, I have sett my hand the 2d March, Anno, 1658.

John Ogden.

Wittnesse
Samuell Clarke.
Jonas Wood.

Deeds 2: 118–119 (Sec. State) This Deed was Entred for Mr Richd Smith of Nesaquack, ye 3d Octobr 1665.

Easthampton July 14th 1659.

1659 July 14 — 1660 Apr. 6 — 1665 June — Recorded 1665 Oct. 3

Bee it knowne unto all men, both English and Indyans, espesially the Inhabitants of Long Island, That I Wyandance, Sachem of Pamanack, with my wife and Sonne Wyankanbone, my onely Sonne and heire, having deliberatly considered, how this Twenty foure yeares wee have been not onely acquainted with Lyon Gardiner, but from time to time have received much kindnesse of him, and from him not onely by Councell and advice, in our prosperity, but in Our great extreamity, when wee were almost Swallowed up of our Enemyes, then wee say hee appeared to us, not onely as a ffriend, but as a ffather, in giving us of his money and Goods, whereby wee defended ourselves, and ransomed my Daughter and ffriends, And wee say and know, that by his meanes, wee had great Comfort and reliefe, from the

Deeds 2: 118–119 (Sec. State)

most Honoble of the English Nation here about us, So that seing wee yet live, and both of us being now old, and not that wee at any time have given him any thing to gratify his Love, care and Charge, wee having nothing left that is worth his acceptance, but a Small Tract of Land, wch wee desire him to accept of for himselfe, his heires, Executors, and Assignes for ever; Now that it may bee knowne how, and where this Land lyeth on Long Island, Wee say it lyeth betweene Huntington and Seataucut, the westerne Bounds being Cowharbour, Easterly Acataamunk; and Southerly Crosse ye Island to the end of ye great hollow or valley or more then halfe through the Island, Southerly, and that this is our ffree Act and Deed, doth appeare by Our hand Markes under written, Signed, Sealed and delivered in the prsence of

1659 July 14

1660 Apr. 6

1665 June

Recorded 1665 Oct. 3

Richard Smith	Wyandance X	his Marke
Thomas Chatfield.	Wyankanbone X	his Marke
Thomas Talmage.	The Sachems wife X	her Marke.

Moreover I wyankanbone wth my Mother do acknowledge to have sold to lyon Gardner above named, the next jacent Tract of Land Easterly, That is to say Nesequake River, and all the Land both Neck and Creekes, there unto belonging, and to runẽ paralel through the Island wth the other, and have recd so much for it, as wee demanded, to our full content, so that, that land from Cowharbor to Nesequake River wth the same River, belongeth to Lyon Gardner, his heires Executors, and Assignes for ever, this done by us this 6th of Aprill 1660, Wittnesse Our hands Markes & Seales, in ye p̃nts of these, Wee say not onely the Land but all yt doth, or shall naturally grow thereon.

Thomas Talmage	Wyankanbone X	his Marke
Thomas Chatfield.	The Marke of X	his Mother
	Achemano X	his Marke
	a wittnesse	

Deeds 2:118-119 (Sec. State) *Cont.*

Md This right of Lyon Gardiner, was Assign'd over by his Son Dav: Gardiner, to Rich^{d} Smith of Nesaquanke, at South Hold, on the [*blank*] day of June 1665.

Wittnesse Matth. Nicolls.

Deeds 2:148 (Sec. State)

Entred for M^{r} Richard Smith of Nessaquake, this following Testimony the 28th of September 1666.

1663 June 6 etc.

Recorded 1666 Sept. 28

Whereas the Indyans deny y^{e} Sale of the South Meadowes, mentioned in the Bill of y^{e} Purchase of Nesaquack; These are to wittnesse, That I Jeremy wood was p^{r}sent by the Company, and Asaconsake sent an Indyan wth mee to him, that was said to bee the owner of that Meadow, So hee came downe wth us to Nesaquake, and there hee Agreed to referr the Sale of those Necks of Meadow, to the Sagamore of Nesaquake, called Asaconsake, and so did all the rest of the Indyans; So wee Agreed wth Asaconsake for all their Land at Nesaquake, and those Necks of Meadow, and paid them for all, according to our Agreem^{t}, as is mentioned in Our Bill of Purchase, June 6th 1663.

Jeremy Wood X his Marke.

Taken before mee, John Hicks

To the Truth of this above written, I can, and will Testify if called there unto, wittnesse my hand

Daniell Whitehead.

Mashpath Kills the 13th of August 1663.

Taken before mee upon Oath

Rich^{d} Betts R his Marke.

An Order of the Gen[all] Cour[t] of Hartford, concerning Richard Smith of Nesaquanke on Long Island, Entred 3[d] Mar. 1665.

Deeds 2: 120 (Sec. State)

These may Certify whom it may concerne, That the Committee Chosen by the Gen[all] Court of Hertford, to Issue Matters on Long Island, It was then Ordered by the said Commission[rs], That Richard Smith shall part with some of his Land to Seatalcott, And also to place Twenty ffamilyes in Smithfeild, the which Richard Smith Agreed unto upon this Condition, That John Scotts Land, on the west side of Nesaquanke River, shall helpe to accommodate the said 20 ffamilyes, which the said Commission[rs] did Engage for Twenty five Pounds to bee paid by Richard Smith, onwards of John Scotts ffine, the which Land, Richard Smith had formerly Sold to John Scott for Twenty five pounds.

[1664 June]

Recorded 1665/6 Mar. 3

No date,
But said to be in June 1664.

Tho: Topping.
John Howell.
Richard Woodhull
John Young.

An Indyan Deed of a Parcell of Land to y[e] westward of Nesaquanke, Entred y[e] 22[d] Mar. 166$\frac{5}{6}$

Deeds 2: 121 (Sec. State)

M[r] Smiths Purchase.

Whereas Richard Smith of Smithfeild, hath bought all the Land betweene Huntington Harbour, and Nesaquanke River, of Lyon Gardiner, as may appeare by a Deed bearing date 63, Nasetteconsett, Sagamore of Nesaquank Complained to Commissioners of Hertford; at a Court held at Seatalcott, in 64, That Richard Smith had taken away his Land, And

1665 May 4

Recorded 1665/6 Mar. 22

Deeds 2: 121 (Sec. State)

1665 May 4

Recorded 1665/6 Mar. 22

did then owne, that hee had given Catawamuck, to Wyanduance, for the said Lyon Gardiners use, which was by Mr Odiell and others, Bounded, as may by marked Trees appeare; But Nassetsconsett said, That the Land betweene those marked Trees and Nesaquank River, was his, The Court advised mee to Buy the Land of him, in case hee had not sold it before, where upon, I Richd Smith, went to speake with ye Sanck squaw, Shee did before many of East-Hampton owne that Nesaquanke, Sagamore, did give Catawamuck to her ffather, Long ago, and that hee Nasseteconsett, did give the other part unto Nesaquank River, to her Brother Wagoncombone; But finding nothing under his hand to Shew, and Shee owning him to bee the true Proprietor at first, I thought good to Buy the said Land of Nessateconsett, and have Agreed with him for one Gunn, one Kettle, tenn Coates, one Blankett, three hands of Powder, and three handfulls of Lead; These are to Certify, that I Nessetesconsett, Sagamore of Nesaquank, have for mee and my heires, Sold all my Land on the west side of Nesaquank River, with all the Benefitts and Priviledges of Land and water, unto Richard Smith of Smithfield, and his Heires or Assignes for ever, and have recd Pay for the same, to my Content; whereas Catanumps, doth lay Clayme to halfe the aforesaid Land; It is Agreed, That hee is to have two Coates more, and so doth joyne wth Nassetsconsett in the Sale, And do both Agree for us and Our Heires, to Maintaine the right of Richard Smith and his Heires, for ever, in all the Land aforesaid, reserving the Liberty of Matts, Canooes, and Eagles and Deare Skinns, Catcht in the water, by Canooes, is meant Indyan Built, that is to say, rack, this to my selfe and heires, Wittness Our hands, & Seales May 4th 1665

The Marke of Nesatesconsett X

Catanumps his Marke, X

Wittnesse
Richard Woodhall.
Daniell Lane.
Marke
Quarter X Sachem
his
Tawaringo X his Marke.

Deeds 2: 121 (Sec. State)

1665 May 4

Recorded 1665/6 Mar. 22

Memorand. That y^e^ Land afore mentioned was Bought and part of the Pay delivered neare a yeare before the Signing hereof.

Huntington.

Deeds 2: 255 (Sec. State)

The Affirmacon of John Ketcham, Thomas Brush and Thomas Powell, being sent by the Inhabit^ts^ of Huntington, w^th^ an Indyan called Chikeno, to the South Meadowes, according to the Order of the Generall Assembly at Hempsteed; When wee came to the South to Our Meadowes, wee went over two Necks, to our Neighbo^rs^, who had called Messapeage Indyans, about the Number of twenty, who opposed us about the space of an hour, and would not suffer the Indyan, to go and Shew us the marked Tree; Then wee Shewed the Sachem the writing, to which hee had sett his hand, which was our acquittance, and yet hee would not Suffer the Indyan to go; when wee see nothing would prevaile, wee tooke our leave of them, and said, wee should carry back this Answer, to them that sent us; But they not willing that wee should, tooke up the matter, as wee did apprehend, Spake to the Indyans, who after gave leave to the Indyan who was Chickino, to go and Shew us the Tree, many of Massapeague Indyans, went with us, Thomas Brush went before, and not taking notice of the Tree, went past it, then a Massapeague Indyan, called him back, and Shewed him the Tree, before Chickino came neare it, when

[1665 Oct. 7]

Recorded 1667 Nov. 2

Deeds 2:255 (Sec. State) [1665 Oct. 7] Recorded 1667 Nov. 2

Chickino came to the Tree, hee said that was the Tree hee marked, as his Master Commanded him; Messapeage Sachem said by his interpretor; that hee told Montauket Sachem, that hee was grieved at his heart, that hee had sold that Neck, upon which then wee was, but Montauket Sachem told him, that it was sold, and it could not bee hope, and therefore bid him go and receive his Pay, and so hee said hee did, And also Massapeague Sachem, owned his hand, and that hee had recd the Goods.

7th October 1665.

Deeds 2:256 (Sec. State) 1665 Oct. 7 Recorded 1667 Nov. 2

Huntington.

The day and yeare abovesaid, Wee under Subscribed being in Huntington, where Chickino came and Justifyed the matter following, in relacon to ye Reference or Order made at Hempsteeds Genall Meeting, touching three Necks of Meadow, which Huntington had formerly Purchased of Muntalcott Sachem, and the inferior true Proprietors, as also in respontion to Oyster Bay Inhabitants, who lay a Clayme to part of the said three Necks, saying they are foure Necks, and one whereof belongs to them. The said Chickino, now did plainly and clearly demonstrate before us, That the Tree hee first mark't, by his Master, Muntaulcott Sachems Order, and hath a Second time viewed according to Order, is no other but that which ought justly to bee owned by him, and so Marked as aforesaid, and comprehends onely Huntingtons just Purchase of three Necks of Meadow, and in truth, is three Necks of Meadow, and not foure, according to the prsent relation of Chickino.

This is a true Copy of the affirmacon
of Chickino, before Capt Topping
and Mr Wells.

An Order for the Indians to appeare at next Sessions to testify their knowled̃ int̃ Rich: Smith & y^e^ Inh̃itants of Huntington. O. W. L. 2:311 (NYSL)

Whereas Richard Smith of Nesaquake hath obtained my speciall warrant to try his title at Lawe w^th^ the Inhabitants of the Towne of Huntington concerning a certaine parcell of Land on the West side of Nesaquake Ryver; the w^ch^ he alleadges he cannot well do without the testimony of some Indians to be taken at the tryall, These are to require all such Indians as shall be timely sum̃oned by the said Richard Smith & are in a Condition to trauell that they make their personall appearance at the next Court of Sessions then & there to testify the truth of their knowledg in the matter or cause in difference betweene the said Richard Smith & the Inhabitants of the Towne of Huntington He the said Richard Smith giving them reasonable satisfaction for their trauell & paines in goeing to the Court & retorning home againe Giuen under my hand at Fort James in New Yorke this 10^th^ day of December 1668. [Francis Lovelace.] 1668 Dec. 10

An Ord^r^ for the Sum̃oning in persons at the next Co^r^t of Sessions in the East Riding of Yorkshire to make proof of a title of Land for the Inh̃itants of Huntington. O. W. L. 2:313 (NYSL)

Whereas Richard Smith of Nesaquake hath made suite unto me that he may haue a tryall at Law w^th^ the Inhabitants of yo^r^ Towne concerning the title to a certaine parcell of Land lying to the west of Nesaquake Ryuer w^ch^ both yo^u^ & he lay Clayme unto, It being alleadged by him that the Controuersy betweene you hauing not hitherto beene decided he hath beene hindred from setling the familyes 1668 Dec. 10

O. W. L. 2:313 (NYSL)

1668 Dec. 10

vpon his Plantation wch he is oblieged unto, These are therefore to require you in his Maties name to cause some person or persons to appeare at the next Court of Sessions to be held in the East Riding of Yorkshire vpon Long Island, then & there to make answer to the Complaint of the said Richard Smith & make proof of yor title to the Land in question Hereof you are not to fayle Giuen undr my hand & Seale at Fort James in New York this 10th day of December in the 20th yeare of his Maties Raigne Annoqꝫ Domini 1668. [Francis Lovelace.]

To the Constable & Ouerseers
of the Towne of Huntington.

O. W. L. 2:328 (NYSL)

1668/9 Feb. 10

A Łre from ye Governor to ye Inhabitants of Huntingtõ

Loving ffreinds

I understand by Mr Isaack Platt who you sent to me yt you are troubled at Mr Smiths sum̃oning of you to trye yor title at Law to a certaine peice of land wthin yor lymitts, thinking yt because yor lymitts are ascertained by Patent as no man may clayme any propriety wthin them wch to mee seemes strange for ye extending your bounds furthr then before doth not giue you a greater propriety to ye land then what you had neithr doth it take away anothers right, though wthin them In fine I thinke Mr Smith cannot be denyed a tryall at Law, wch will be ye best touchstone to proue who hath ye right, & if matters succeed not at ye Sessions according to yor desire or expectacon ye Law directs you to ye Assizes where I shall sitt myselfe wth ye Justices of ye Gouernmt & be ready to do what shall be according to Law & good Conscience wch is all at prsent from

Yor Very Loving freind

ffebry 10th 1668. Fran Louelace.

A Licence to Mr Richard Smith to examine Indyan Testimonies by Comrs in ye Countrey.

O. W. L. 2:396 (NYSL)

1669 Apr. 20

Whereas Richard Smith of Nesaquake hath appeal'd from ye Verdict and Judgmt of ye Last Court of Sessions held at Southhold, relating to a Suite depending betweene him, and ye Inhabitants of ye Towne of Huntington to ye next genll Court of Assizes and ye said Richard Smith alleaging, that some of ye Indyans residing neare oysterbay or thereabout, who can give their testimony to seth forth y[e] truth of ye matter in difference will scarcely bee induced to appeare at the Assizes, as also to prevent that encrease of charge, These are to authorize and appojnt You Robert Williams and John Cole of Oysterbay, hauing knowledge in their Indyan Lengauge, to bee Comissiõ to take the Testimony, which shall bee given unto you by any such Indyans, of which you making a returne in writting attested under yor hand, itt shall bee admitted into evidence as if they should here make their appearance. Given under my hand at Fort James in New Yorke this 20th day of Aprill 1669.

[Francis Lovelace.]

A speciall warrt for a hearing at the Assizes Richd Smith plt Huntington defts

O. W. L. 2:397 (NYSL).[1]

1669 Apr. 20

Whereas Richard Smith of Nesaquake in the East Riding of Yorke-Shire upon Long Isld hath preferr'd a petition unto mee for an appeale from ye Verdict of ye Jurey and Judgmt of ye Bench at y[e] Last Court of Sessions held att Southhold about a certaine matter in difference betweene him

[1] This warrant is also entered in *Court of Assizes*, vol. 2, p. 203, with immaterial variations.

O. W. L. 2:397 (NYSL)

and y^e^ Towne of Huntington as to a tittle of Land, That y^e^ Cause may bee heard in Equity before mee at y^e^ Gen^ll^ Court of Assizes for the prosecution whereof hee hath given Security as in y^e^ Law is required, as also for paym^t^ of all charges and damages if hee shall bee cast in Suite. These are in his Ma^ties^ name to require you, or some of you on the behalfe of the rest of y^e^ Inhabitants of yo^r^ Towne, that you appeare att y^e^ next Gen^ll^ Court of Assizes to bee held in New Yorke, beginning on y^e^ first wednesday in Novemb^r^ being y^e^ 6^th^ day of y^e^ said month, then and there to make answer to y^e^ bill of Complaint in Equity of y^e^ said Richard Smith, as to y^e^ tittle of y^e^ Land in difference betweene you as aforesaid. In y^e^ meane tyme all former proceeding hereupon to bee suspended, and no way to bee put in execution. And hereof you are not to fayle at yo^r^ perill. Given under my hand and Seale att Fort James in New Yorke this 20^th^ day of Aprill in y^e^ 21^th^ yeare of his Ma^ties^ Raigne Annoq̃ Domini 1669

1669 Apr. 20

[Francis Lovelace.]

To the Constable and Overseers of Huntington who are to make returne of their execuc̃on of this Speciall warrant att y^e^ Assizes.

Deeds 4:65 (Sec. State)

Another Deposic̃on of M^r^ Whitneys & Thomas Benedict.

1669 May 4

Recorded 1672 Sept. 19

The Testimony of Henry Whitney & Thomas Benedict both of Norwalk in the Jurisdiction of Conecticott, aged about fifty yeares saith, That they being formerly Inhabit^ts^ of Huntington doe know that all the Meadows betwixt Cow-Harbo^r^ & Nesaquake River w^th^ the Herbage of the Vplands,

was bought of Rashaokan Sagamore of Matinicock, & paid for in their time; And further saith y^t^ Wyandance occasionally coming up to Huntington then Sagamore of Mantaukett was displeased w^th^ Rashaokan for selling of that Land w^th^out his Consent, but the said Rashaokan humbling himselfe before Wyandance did according to our Vnderstanding forgive him for that fault; And confirmed the Purchase of Huntington Men, only charging y^e^ aforesaid Rashaokan, that hee should doe soe noe more. And further saith not. Deeds 4:65 (Sec. State) 1669 May 4 (Recorded) 1672 Sept. 19

These Testimonyes were taken before mee upon Oath; Norwalke May y^e^ 4^th^ 1669.

Rich^d^ Olmstead Commission^r^

[Lovelace to the Constable and Overseers of Huntington.] O. W. L. 2:477 (NYSL)

Gentlemen

I haue perused yo^r^ peticon consisting of three heads: In answer whereunto I doe, I doe thus farre comply with yo^r^ desires. At first that you may haue a Tryall at Comon Law before it come to a Court of Chancery. Although I suppose the Cause hath beene so tryed already at Southton, yet I am willing it should by [*sic*] tryed at the Assizes by a Jury. Next that you may haue like liberty to Examine Indyans by a knowne Interpret^r^ as Richard Smith hath I doe consent to it and doe herewith send you an order for it. And lastly where you desire to bee informed, whether it bee necessary that yo^r^ wittnesses should bee personally pres^t^, some being allready deposed in Co^rt^. As to those allready deposed, these deposicons will excuse their attendance however it would bee requisite you should haue one or two of yo^r^ most materiall witnesses pres^t^ for y^e^ better clearing yo^r^ tittle, I could haue wisht you had agreed the 1669 July 24

O. W. L. 2:477 (NYSL)

matter amongst yo^r selues but since it will not bee, I cannot deny any person the due Course of Law I am

Yo^r very Loving freind

1669 July 24

[Francis Lovelace.]

Fort James in New Yorke this 24^th of July 1669

O. W. L. 2:478 (NYSL)

Like Liberty graunted to y^e Inhitants of Huntington as to Richard Smith.

1669 July 24

Whereas The Inhabitants of the Towne of Huntington haue requested that they may haue like liberty as hath beene given to Richard Smith of Nesaquake for y^e Examinac̃on of Indyans Testimonyes by known Interpreters in relac̃on of y^e Cleering of the truth concerning the Cause or matter in difference betweene them and the said Richard Smith. I doe hereby graunt their Request and any Examinac̃on in this Case taken by one or more knowne Interpret^rs and a returne thereof made in writing under his hand or their, shall bee admitted and taken in Evidence at y^e Tryall before y^e Co^rt of Assizes Given under my hand at Fort James in New Yorke this 24^th day of July 1669.

[Francis Lovelace.]

C. A. 2:200 (NYSL)

Appeales Actions Presentments &c — entred for hearing & Tryall at y^e Gen^rll Court of Assizes to be held in New Yorke beginning on y^e first wednesday of October 1669.

1669 October

wt^h drawne

2. Richard Smith.....p^lt } An appeale from
Inhabitants of Huntingto...def^ts } y^e Court of Sessions at Southolde.

Graunted at Easthampton and confirmed in New Yorke Aprill ye 19th 1669.[1] by speciall warrant } C. A. 2:200 (NYSL) 1669 October

A warrant to ye Inhabitants of Huntington to appeare at ye next Assizes . C. A. 2:548 (NYSL)

Whereas There is a matter or Cause in controversy betweene Richard Smith of Nesaquake & ye Inhabitants of ye Towne of Huntington upon Long Island concerning a certaine peice or Tract of Land comonly called or knowne by ye name of Nesaquake Acomsett unto wch each of them prtend a Right by purchase, Upon ye Petition & request of Richard Smith, That ye titles & Claymes on each parte may be heard decided & determined at ye Genrll Cort of Assizes, These are in his Maties name to require you or some of you on behalfe of yor Towne, That you appeare at this next Genrll Court of Assizes to be held in this Citty, beginning on ye first wednesday in October, Then & there to make answere to ye Complaint of ye said Richard Smith & stand a Tryall as to ye Title of ye said Land in question In ye meane tyme ye leavying of all charges relating to this matter in difference not already collected is to be suspended untill ye cause shall be decided, Hereof you are not to fayle at yor perills Given undr my hand & sealed wth ye Seale of ye Colony this 13th Day of June in ye 22th yeare of his Maties Raigne Annoq Domini 1670 1670 June 13

[Francis Lovelace.]

To ye Constable & Overseers of Huntington to be Comunicated to ye rest of ye Inhabitants.

[1] The actual date, as shown by the warrant, was April 20, 1669.

C. A. 2:583 (NYSL)

A Declaration in ordr to clearing a doubt concerning ye Land in dispute betweene Richard Smith of Nesaquake & ye Inhabitants of Huntington.

1670 Aug. 18

Whereas Richard Smith of Nesaquake hath obteyned my speciall warrant for ye hearing & determyning at ye next Court of Assizes a certaine mattr in difference betweene him & ye Inhabitants of Huntington concerning a Title of Land for ye wch there hath already past a Tryall at South hampton Sessions from ye Judgmt of wch Court he ye said Richard Smith did appeale, And there being an Objection made by some of ye Inhitants of Huntington that they doe suppose ye name of ye Tract of Land in ye Speciall warrant menc̃oned being Nesaquake Acomsett doth not comprehend all ye Land in dispute betwixt them so may not end ye difference These prsents Doe Certifye & declare that notwithstanding ye perticuler name in ye said warrant specifyed ye mattr in difference to be heard & determyned at ye Assizes is for ye same Land for wch formerly a Tryall hath beene had & from wch an Appeale was graunted of this both Plt & Defts are to take notice and provide themselues accordingly. Given undr my hand at ffort James in New Yorke this 18th day of August 1670. [Francis Lovelace.]

C. A. 2:239-251 (NYSL)

1670 October

At ye Geñrll Court of Assizes held in ye City of New Yorke beginning on ye first Wednesday in October, being ye 5th day of the said Month, by his Maties Authority in the 22th yeare of the Reigne of our Soveraigne Lord Charles the 2d by the Grace of God of England Scotland, ffrance, & Ireland King, Defender of the ffaith &c: & in ye yeare of or Lord God 1670.//

C. A. 2:239-251 (NYSL)

Present

The Right Hoñ^ble y^e Governo^r
Thomas Delavall Esq^r
M^r Cornelis Steenwijck Mayo^r
M^r Matthias Nicolls Secr̃: } Of the Councell

1670 October

Of y^e North Rideing.— M^r Robert Coe, High Sherriffe, & one of the Justices of y^e Peace.
M^r John Hicks
M^r Richard Cornhill

Of y^e West Rideing. M^r Cornelis Van Ruijven
M^r James Hubbard
M^r Richard Betts

} Justices of y^e peace.

Afternoone.

Rich^d Smith – – P^lt
The Inhabitants of Huntington — } Def^ts

The Def^ts desire to stand to y^e Verdict of the Jury at Southton, & refuse to give in Answer to any thing, but to y^e Appeale from the Judgment of that Court.//

Hereupon all y^e Ord^rs from y^e Governour relating to this Cause were read.

The P^lt haveing made Entry of 2 Actions against y^e Def^ts, & consequently putting in two Declaracons, they were ordered both to bee putt into one; Soe a Tryall by a Jury to bee To Morrow Morning.//

The Jury being returned by the High Sheriffe, They were Empannell'd & Sworne.//

The Def^ts were order'd to give in their Answer to the P^lts Declaracon by Eight of y^e Clock this Evening.//

C. A. 2: 239-251 (NYSL)

Octob: 6. 1670. Before-Noone.//

1670 October

Richd Smith – – Plt
The Inhabitants of Huntington. } Defts

Mr Rider & Mr Sharp. } Attorneys for ye Plt

Put in a large Declaracon, both of those presented before, being put into one as was Ordered; although the Dispute was for two severall Tracts of Land.

The Names of the Jurors.

Elyas Doughty – – Foreman.	Gersham Moore
Symon Seryon.	William Noble
John ffoster	James Pine
Thom: Smith	John Smyth
Robert Terry	Samuel Smith
James Clements	Wm Jeacocks.

The Deed from ye great Sachem Wyandance & Wyamcombone his Sonn wth the Mother, to Lyon Gardner Dated July ye 14th 1659. was produced and read.

As also another Conveyance from Wyamcombone & his Mother in the same Deed, Dated Anno 1660.

Vpon ye same Deed David Gardnr doth likewise convey his Interest to Richard Smyth the Plt in the yeare 1664.//

Another Deed of Conveyance was also brought in from Lyon Gardner to ye Plt Dated Anno 1663.//

And withall a Deed from ye Sachem Nassasconsett, & Catanumps of the yeare 1665.//

Richard Wood-hill & Daniel Lane being Wittnesses to the last Deed & sworne acknowledge their Hands.//

C. A. 2:239–251 (NYSL)

1670 October

Severall Testimonyes were read to prove Nassasconsett to bee y^e^ Right Owner of that Land hee sold to y^e^ P^tt^. & that y^e^ said Rich^d^ Smyth was enjoyned by y^e^ Commission^rs^ of Hartford who were empowered by y^e^ Governour of Connecticott, under whose Governm^t^ that part of Long Island then held themselves to bee, that hee should purchase that Land againe of the Indyans, although hee had bought it before of Lyon Gardner, to prevent all Disputes about it.//

Severall Depositions read out of the Proceedings at the Court of Sessions at Southampton.//

M^r^ James & Jeremiah Concklings Testimony upon their Examinac̃on of the Indyans by the Governo^rs^ Commission.//

Testimonyes given in attested by Robert Williams and John Cole, who were appointed Commissioners by the Governo^r^ to examine Indyan Testimonyes in this Case.//

Another Indyan Testimony from Norwake attested by Richard Omsteed [*sic*] Commission^r^//

John Coles Testimony given in upon Oath.//

Another Testimony taken before y^e^ Constable and Overseers of fflushing.//

An Indyan Testimony taken by M^r^ Woodhill who swore to it before M^r^ Wells.//

Another Indyan Testimony taken before Richard Olmsteed Commission^r^ at Norwake.//

An Indyan Testimony from an auncient Man sent by his Sonn.//

An Indyan Testimony taken before M^r^ Lane.//

A Deposic̃on of Obed Seward & another, taken before M^r^ Wells.//

The Testimony of Wenox y^e^ Indyan taken before M^r^ Lane, & M^r^ Woodhull.//

Another before M^r^ Lane.

Henry Perrings Deposition taken before M^r^ Lane.

C. A. 2:239–251 (NYSL)

An Indyan coñonly called Mr Goodyer his Testimony about the Defts tampering with the Indyans, taken before Mr Lane.//

1670 October

Mr Woodhull & his Wives Testimony and Deposition about the Defts tampering with the Indyans.//

Tom ye Indyan that lives wth Mr Brewster, hee gives Testimony to ye same & somewhat farther.

An Indyan Testimony attested by Joseph Rayner & Richard Howell, Constable & Overseer of Southton.//

Mrs Sarah Brewstr Testimony about what shee had heard Indian Tom say concerning this Busyness.//

Severall other Testimonyes from Indyans were read, all conteyned in one sheet of paper & taken before Mr Lane.//

A Testimony from Mr James of East-Hampton.//

An Indyan Declaracon prsented by some Indyans touching this Matter to ye Governor by way of Peticon; It was on ye behalfe of ye Plt//

Governor Nicolls his Patent to ye Plt was read in Court.//

After that ye Plts having noe more to say for the present, The Defts were ordered to putt in their Plea & Defence in the After-noone.//

The Constables who have noe particular Busyness from their Townes, are dismist from giving any farther Attendance on the Court.//

Afternoone.

Richard Smith – – Plt
The Inhabitants of Huntington – – – } Defts

Mr Anthony Waters Attorney for the Defts brings in an Answr to ye Plts Declaracon which is read; The Plts Attorneys object against it, that it was enlarged beyound the Copie

given in to them by the Courts Order the last Night; However it was warranted by y^e^ Court, & allowed of, soe they proceed to Tryall.// C. A. 2:239–251 (NYSL)

1670 October

M^r^ Scudamore & M^r^ Holden — — } Attorneys also for y^e^ Def^ts^//

& M^r^ Wood y^e^ Justice of the peace appeared likewise in Defence of the Townes Cause.//

A Peticon was read from y^e^ Inhabitants of the Towne of Huntington to Governo^r^ Nicolls after they were overthrowne at the Court of Assizes by Cap^t^ Seely about Eatons Neck, with the Governo^rs^ Answer thereunto; promising they should bee noe further molested about their Land.// [1]

Huntington Patent read. Dated Novem: y^e^ 30^th^ 1666.//

The P^lts^ Patent againe read. Dated Mar: y^e^ 3^d^ 1665: wherein y^e^ Conditions were taken Notice of.//

The Def^ts^ Indyan Deed read, Dated July y^e^ 31^th^ 1656. It was made to them by the Indyan Sachem Asharocan; It hath noe Christian Wittness to it; and y^e^ Marks are all made with one Hand Writeing.//

A Deposition was produced & read of Henry Witney's & Thomas Benedicts in one, taken before Richard Olmstead Com^nr^; It is about the Great Sachem Wyandances Confirmacon.//

Daniel Whiteheads Deposicon read, which saith, that y^e^ Indyan Sachem Nassasconsett had nothing to doe, nor had any Land on the West side of Nesaquake River.//

Joseph Whittmoores Deposicon for the P^lt^ taken at Southton Court, (being urged by his Attorney) was read out of the Copies of Records of that Court.//

There were two Witnesses brought into Court, who were

[1] The case of Robert Seely *versus* Richard Smith, referred to, was determined in the court of assizes, October 31, 1667.—*Court of Assizes*, vol. 2, pp. 124–128.

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1670 October

said to be Wittnesses to the Indyan Deed aforemenc̃oned of y^e^ Def^ts^ Dated in 1656. But it being shewn them, They say they know not y^e^ Paper, and that it was not the Paper they had put their hands to.//

The Indyan saith his Name still is & was then Arumpas, but noe such Name is in the Deed.//

The P^ltt^ urging M^r^ Woodhulls Testimony taken at y^e^ Court at Southton, It was read out of a Copie of the Records of that Court.//

Joseph Smith of Jamaica being sworne in Court saith, That to the best of his Knowledge, hee being then an Inhabitant of y^e^ Towne of Huntington, was one that paid part of the Purchase Money to the Indyans for the Land in Dispute, and that what they bought was the Herbage and Meadow, but y^e^ Indyans reserved Liberty for Hunting, & as hee thought it was from Huntington Towne that their Purchase was to Nesaquake River, and that by vertue of that very Purchase the said Towne did enjoy Crabb Meadowes.//

M^r^ Banks of y^e^ Colony of Connecticott being in this Government, & sub-pœna'd to y^e^ Court, appearing Declared, That it is a Law in their Colony that noe private Person shall purchase Land to y^e^ p^r^judice of a Towne or Plantac̃on.//

Another Testimony in Writing was given in of M^r^ Benedicts, who had w^th^ M^r^ Whitney given in one before.//

David Gardiner's Testimony given in by him at y^e^ Sessions Court at Southampton was read out of the Copye of y^e^ Records of that Court, of w^ch^ by some of y^e^ Bench much Notice was taken, for that it was against y^e^ P^ltts^ Interest, who claimed by his ffather and him a great part of his Interest.//

Jeremiah Woods Testimony being taken by Order of the Court at his Lodging in this City by two Justices of the

peace, hee being sick there, & though sub-pœna'd could not appeare, It was deliver'd in Writeing attested by him as followes.— Vizt.// C. A. 2:239-251 (NYSL)

1670 October

The Affidavit of Jeremiah Wood &c:// aged 55 yeares or thereabouts, sworne & Examined Deposeth as followeth.//

That this Depont being one of the Purchasers of the Land in question (of the Nesaquake Sachem) the Agreemt was made for all the Land, Meadow, & Vpland on ye East side of Nesaquake River, betwixt Nesaquake River & the Eastermost Bay; And they the said Purchasers thinking that they had too little on the East side would have had some on the West side; whereupon the said Nesaquake Sachem told them that hee nor his Indyans had not any Right to any Lands there on the West side, only a small Neck of Land, conteyning about halfe a Mile from the said great River to the little Brooke; This Deponent further saith that Mr Smith coming to this Deponent to know the Bounds of the Land in question, This Deponent told him, the Indyans never owned any Land further then from the River to the little Brook Westward; Whereupon Mr Smith said, hee knew that well enough, that the Indyans neither did or could own any Land further; And this Deponent further saith, that Castannumps one of the Nesaquake Sachems Men told this Deponent, that the said Nesaquakes Right went noe further then the said little Brooke; And further saith not.//

The Charge being given to ye Jury by the Governor & the extent & validity of the Patents both of Plt & Defts urged, after much Discourse and many Allegations pro & contrà on both sides, It was recommended to them to bring in their

C. A. 2:239–251 (NYSL) Verdict, according to y^e^ Evidence given in, and the Lawes of the Government.//

1670 October There were deliver'd to y^e^ ffore-man of the Jury a Bundle of Papers of the P^lts^ to the number of 31; Amongst w^ch^ the P^lts^ Patent, Declaracõn, & Exceptions to y^e^ Def^ts^ Answ^r^, besides other loose Papers.//

More of the Def^ts^ their Patent, Answer, & severall other Papers & Testimonyes.//

Soe the Court was dismisst till To-Morrow Morning.//

Octob^r^ 7^th^ Before-noone.//

Rich^d^ Smyth – – – P^lt^
The Inhabitants of Huntington – – – } Def^ts^

The Jury comeing to bring in their Verdict in this Action were call'd over, & by their fforeman give it in for the Def^ts^ with Costs of Suite, without other Circumstance leaving the Damage to y^e^ Consideracõn of the Court.

Whereupon the Court gave Judgment as followes — Viz^t^—

The Court give Judgment according to the Verdict of the Jury for the Def^ts^ with this Condicõn, That as the P^lt^ M^r^ Smith had been obliged to settle ten ffamilyes, if hee had made good his Title against the Def^ts^ y^e^ Inhabitants of the Towne of Huntington to y^e^ Land in Dispute, soe the Def^ts^ shall within the space of three yeares after the Date hereof, erect alike ten ffamilyes in Lieu of what y^e^ P^lt^ was to doe upon the said Land, or else the Def^ts^ are to receive noe Benefitt of the Verdict of the Jury given in here at this time, nor of this Order and Judgment of Court.//

The P^lt^ is to pay all Costs & Charges of Suite, but noe Damage in this Case.//

An Ordr concerning Richard Smith of Nesaquake & ye Inhabitants of Huntington.[1] C. A. 2:618 (NYSL)

1670 Dec. 3

Whereas Richard Smith of Nesaquake hath preferred a Petition unto me & my Councell desiring an Explination of ye Judgmt of ye late Court of Assizes in ye matter in difference betweene him & ye Towne of Huntington, as to ye Title of a Certaine peice of Land, Upon Consideration had hereupon by my selfe & Councell, These are to Declare that it was not ye Intent of ye Court to giue away Mr Smiths right in any parte of Nesaquake lands whereof he was possest, & upon wch he was to settle ye first Ten familyes, but that othr ꝑte for wch he was cast upon ye wch he was to put Ten familyes more to make up ye former number Twenty; if he had made good his Title thereto & carryed ye Cause, ye wch ye Towne of Huntington having had ye Verdict of a Jurye are by Judgmt of Court now ordered to doe in his stead, & to ye end that a right understanding may be had hereupon there shall speedy inquiry be made what properly is ye Extent of ye Land belonging both to ye One partye &

[1] There is a variant of this text recorded in *Court of Assizes*, vol. 2, p. 637 which is presented here for comparison, viz.: —

" An Explanation of ye Judgmt of ye Jury betweene Richard Smith & ye Towne of Huntington.

Whereas Richard Smith of Nesaquake hath prferred a Petition unto me & my Councell desireing an Explanation of ye Judgmt of ye late Court of Assizes in ye matter in difference betweene him & ye Towne of Huntington as to matter of Title to a certaine peice of Land, Upon consideration had hereupon I haue thought fitt to declare that it was not ye intent of ye Court to give away Mr Smiths right in any parte of Nesaquake Lands whereof he was possesst, and was to settle ye first familyes thereupon, but that other parte upon wch he was to put Ten familyes more to make up ye former Twenty, if he had made good his Title thereto & carryed ye Cause ye wch ye Towne of Huntington are now to do in his stead, And to ye end that no future Cavill or difference may arise concerning ye Same there shall good & speedy inquiry be made what properly is ye Land belonging both to ye one partye & ye other, Given undr my hand this 3d day of December 1670."

C. A. 2:618 (NYSL)

1670 Dec. 3

y^e^ Othe^r^ according to y^e^ true intent and meaning of y^e^ Court, so that their Lymitts be justly ascertained. Given und^r^ my hand at ffort James in New Yorke this 3^d^ Day of December 1670. [Francis Lovelace.]

C. A. 2:633 (NYSL)

[1670/1 Jan. 9]

A Łre to y^e^ Inhabitants of Huntington

Gentlemen

Here haue beene w^th^ y^e^ Governo^r^ M^r^ Isaack Plott & M^r^ Thomas Powell from yo^r^ Towne about yo^r^ bill of Charges & other matters relating to yo^r^ Suite w^th^ Richard Smith, As to y^e^ latter it's much admired they came not to yo^r^ hands before your neighbours came away, Two Severall Copies haue beene sent, & amongst y^e^ rest w^th^ y^e^ Last y^e^ bill of Charges as farre as y^e^ Lawe directs, where no Damage is given, w^ch^ indeed is Very little considering yo^r^ farr greater charge & trouble, But yo^u^ may Expect some oth^r^ allowance y^e^ w^ch^ cannot at p^r^sent be certifyed unto yo^u^ but y^e^ Governour and his Councell intend to take it into their furth^r^ consideration & send yo^u^ their result by y^e^ next oppertunitye, I am

Yo^r^ Very Loving freind

M. Nicholls

C. A. 2:708 (NYSL)

An Ord^r^ about Rich^d^ Smyth of Nesaquake, & y^e^ Iñbitants [*sic*] of Huntington.//

1671 June 3

Whereas since y^e^ Tryall at y^e^ last Court of Assizes between Richard Smyth of Nesaquake & y^e^ Inhabitants of Huntington I issued forth an Order beareing Date y^e^ 3^d^ day of December wherein was intimated that to putt a period to all further Disputes & Controversyes upon that Occasion, a strict Enquiry should be made of y^e^ certaine Bounds & Lymitts

of y^e^ Land pperly belonging both to y^e^ one party & y^e^ other, soe that y^e^ same might be ascertayned, as also how farr y^e^ Extent of Nesaquake Lands did reach as well on y^e^ West as y^e^ East side of y^e^ River on w^ch^ y^e^ first Ten ffamilyes were to be settled, y^e^ w^ch^ y^e^ said Rich^d^ Smyth was in quiet & peaceable Possession of, when hee obtained his Patent from y^e^ late Governo^r^ my Predecesso^r^; All w^ch^ in some Measure hath been Endeavoured to be Effected by y^e^ best Enquiry could hitherto be made; To y^e^ end a more full Discovery may be had thereof, & that I y^e^ better may be satisfyed therein, when I shall heare both Partyes; These are to Order & Appoint that from y^e^ Towne of Huntington one or two persons be Nominated to attend mee here in this City upon Wednesday y^e^ 12^th^ day of July next; And also at the same time & place one or two Persons doe likewise give their Attendance from Rich^d^ Smyth to declare & sett forth their true Bounds, soe that I may give a just and finall Determinac̃on thereupon. Given under my Hand at fforte James in New Yorke the 3^d^ day of June. 1671.//

[Francis Lovelace.]

C. A. 2:708 (NYSL)

1671 June 3

An Ord^r^ about y^e^ Towne of Huntington, & Rich^d^ Smyth of Nesaquake &c:

G. E. 4:4 (NYSL)

At a Councell held at fforte James in New Yorke y^e^ 12^th^ day of July. 1671.

1671 July 12

Whereas an Ord^r^ was issued forth bearing Date y^e^ 3^d^ day of June last, that some person or persons should this day appeare before mee both on y^e^ behalfe of the Towne of Huntington, & also of Rich^d^ Smyth of Nesaquake, of w^ch^ timely notice was given to both ptyes, And y^e^ Towne of

G. E. 4:4 (NYSL)

1671 July 12.

Huntington haveing neglected to give their Attendance, y^e^ w^ch^ M^rs^ Smyth for & on y^e^ behalfe of her Husband, & M^r^ Rider as Attorney did performe; These p^r^sents doe Order y^t^ y^e^ neglect on y^e^ one side, & y^e^ appearance on the other be Recorded, and that the Case in difference for y^e^ present be suspended, till further Satisfaction be receiv'd concerning y^e^ same.

[Francis Lovelace.]

Col. MSS. 22:119 (NYSL)

To the right Honn^rbl^ ffranci[s] Lovelace Esq^r^ & Govern^r^ of all his Roya[l]l Highnes Territoryes in Amerricah.

1671 Sept. 6

The peticion of
Rich: Smythe

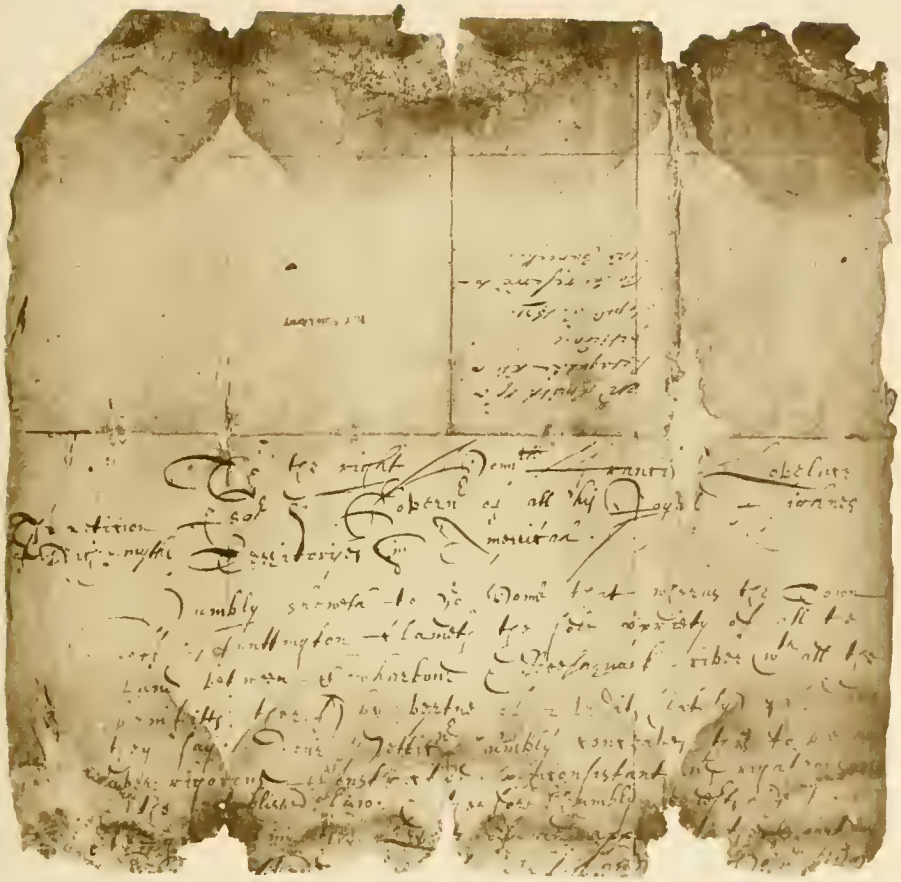
Humbly sheweth to yo^r^ Honn^r^ that wheras the Town off Huntttington clameth the sole p^r^priety of all the land between Cowharbour & Neesaguank river (w^th^ all the benifitts therof) by vertue of 2 verdits (lately) passed as they say. Your Pettic^nr^ humbly conceaves this to bee an over-rigorous Construction & inconsistant w^th^ righteousness [&] the established law. & therfore humbly requests yo^r^ Honn^r^ to gra[n]t him the Libe[r]ty of an appea[l] to the Court of [Assizes] [*remainder mutilated and lost*] [1]

Endorsed:

M^r^ Smith of
Nesaquake his
petic̃on.
Sept^r^ 6. 1671.
To bee referr'd to
the Councell.

[1] Apparently only the salutation and signature are lost

Opposite p. 434.



PETITION OF RICHARD SMITH, FOUNDER OF SMITHTOWN, L. I.

To Governor Lovelace, September 6, 1671 on his Boundary Dispute with the Town of Huntington.

(Reduced from 11½ by 11¼ inches.)

Septembr ye 19th 1672. Depositions Recorded for Mr Rich[ard] Smyth of Nesaquake. Sep: 19th 1672. Deeds 4:63 (Sec. State)

The Testimony of Thomas Benedict. 1671 Sept. 11

This may Certify any whom it may concerne, that as touching the Difference between Mr Richard Smyth of Nesaquake, & the Inhabitants of ye Towne of Huntington, if any Testimony shall appeare to bee given in by mee & my Name, touching that Controversy, wherein it shall bee said After the Land was sold to Huntington Men between Cow-Harbor & Nesaquake River, it is to bee understood That I meane by Land, Meadow only; ffor I never understood after I came to live at Huntington any Vpland bought within that Tract, but herbage only, as their Bill of Sale declares; As wittness my Hand. Recorded 1672 Sept. 19

Thomas Benedict.

This I doe Declare, that there may bee noe Mistake, for although I respect my Neighbors of Huntington; yet I would not say any thing to prejudice Mr Smyth, & therefore I would have all Men know, that this is my true Meaning in that Saying.

Henry Whitney giveth his Testimony in the same Manner & fforme as above-written.

Taken Oath before mee. Septembr 11th 1671.

Richard Olmstead

Vera Copia. Commissionr

At a Genall Court of Assizes held in the City of New Yorke by his Mãties Authority beginning on the first Wednesday in October (being the 4th day of the said Month) in the 23th yeare of his Maties Reigne, vizt our Soveraigne C. A. 2:261-2, 281, 282, 284-5 (NYSL) 1671 October

C. A. 2: 261–2, 281, 282, 284–5 (NYSL) Lord Charles y^e^ second by the Grace of God of England, Scotland, ffrance, & Ireland King Defend^r^ of y^e^ ffaith &c: Annoqꝫ Domini 1671.

1671 October Present

The R^t^ Hon^ble^ y^e^ Governo^r^
Thomas Delavall Esq^r^ } Of y^e^ Councell.//
M^r^ Cornelis Steenwijck }
M^r^ Matthias Nicolls Secr̃ }
M^r^ John Laurence } Aldermen of this City.//
M^r^ Isaack Bedloo }
Cap^t^ John Manning High sheriffe.
Thomas Lovelace Esqꝫ. } Justices of y^e^ Peace of y^e^ West Riding.//
M^r^ Cornelis Van Ruijven }
M^r^ James Hubbard }
M^r^ Richard Betts }
M^r^ Robert Coe } Justices of y^e^ Peace of y^e^ North Riding.//
M^r^ John Hicks }
M^r^ Rich^d^ Cornhill }
M^r^ William Wells } Justices of y^e^ peace of the East Riding.
M^r^ John Mulford. }

After Opening y^e^ Court the Bench was first call'd over, then y^e^ Constables, after that all the Causes.//

* * * * * * * * * * * * * * * * * * *

Oct: 7^th^ Beforenoone.

Severall Petic̃ons were taken into Considerac̃on. * * *

Afternoone.//

* * * * * * * * * * * * * * * * *

The Petition of Rich^d^ Smith of Nesaquake, & another from the Inhabitants of Huntington being taken into Con-

sideracõn, the first desiring some Commissionrs may bee appointed to view the Bounds of Nesaquake Land; The other declaring their Dissent to settle ye ten ffamilyes &c:— C. A. 2:261-2, 281, 282 284-5 (NYSL)

The following Ordrs were made thereupon — — Vizt — 1671 October

The Peticõn of Richd Smith of Nesaquake being taken into Consideracõn, wherein hee desires some persons may bee appointed wthin the space of six weeks to enquire into & view ye Westerne Bounds of the Land cõmonly called Nesaquake Land between him & ye Inhabitants of Huntington, where the Peticõner was to settle his first ten ffamilyes, & to make Reporte thereof to the Governor; The Court have thought fitt to grant his Request, & doe Order, That three or five indifferent Persons of good Judgment & Vnderstanding shall bee nominated & appointed to doe the same within the time aforemencõned, soe that a finall Determinacõn & Issue bee had upon the Matter in Difference; The Denominacõn of the Persons to bee referred to the Governor //

By Ordr &c:—

The Peticõn of ye Inhabitants of Huntington directed to this Court being taken into Consideracõn, more particularly as to that part thereof, wherein they seem to suggest or take for granted that the Settlemt of ye ten ffamilyes upon the Land wch they recovered from Richard Smith of Nesaquake (the wch hee was obliged to doe by his Patent if hee had gained the Suite) was an Injunction laid upon them, wch they conceive is intollerable; The Court is soe well satisfyed of what was then done, the wch was freely consented unto by the Persons of that Towne then present, who informed the Court they had full power to Act on the behalfe of the rest, That they finde noe reason to alter their Judgment then given, but doe Order the same fully to bee putt in Execu-

C. A. 2: 261–2, 281, 282 284–5 (NYSL)

tion, upon ye penalty & Condicons therein exprest. As to their Bill of Charges relating to Richard Smith, the Governour & Councell will take it into further Consideracon, & make some Order thereupon consonant to Justice, & the Course & practice directed in the Lawes of this Governmt

1671 October

By Ordr &c:

G. E. 4: 103 (NYSL)

Lre from ye Governor to [Constable and Overseers of Huntington] desireing them to send back Coppyes of ye Deposicons of Thomas Benedict & Hen: Wittney to bee recorded.

1671/2 Feb. 26

Gent:

I am given to understand, That after yor Tryall at the Assizes wth yor Neighbor Mr Smyth, some of those employ'd by yor Towne, called at ye Secretaryes Office for ye Papers given in by them in Cort & had them deliver'd, they being in haste, of which either by ye neglect or Multiplicity of ye Clarkes Busyness, some were not Recorded; Amongst wch ye Depositions of Thomas Benedict & Henry Wittney were two; To ye End, That ye Records may bee kept in good Order, & that Nothing materiall past at a Publique Tryall may bee omitted, but remaine there to bee perused upon Occasion by any who shall desire ye same, I shall recommend it to you, That you deliver Authentick Copyes of those two Deposicons of Benedict & Wittney, or send the Originalls by Capt Manning either at his goeing or returning from ye Sessions, to bee transmitted to ye Secretaryes Office here. Yor Complyance herein is expected from

Yor Very Loving Friend
Fran: Loulace.

Forte James in New Yorke. ffebry 26. 1671.

Lett^r to M^r Wood, to send back y^e Deposic̃ons of Whitney, & Benedict. &c. to bee Recorded. G. E. 4:154 (NYSL)

M^r Wood.

It was thought yo^u would have minded yo^r Promise to send up to y^e Secretary those two Testimonyes or Depositions of Henry Whittney, & Thomas Benedict given in at y^e Co^rt of Assizes, w^ch it seems in haste were omitted to bee Recorded by y^e Clarke, the w^ch I writt to yo^u about before, I thought good to Advertize you of it once more, that yo^r complyance in sending y^e Originalls or Authentique Coppyes of those Deposic̃ons very speedily is expected by 1672 June 27

Yo^r very Loving Friend
Fr: Louelace.

Forte James in N: Y.
y^e 27^th June. 1672.

[Deposition of Elias Doughty and others.] Deeds 4:64 (Sec. State

Wee under-written to y^e best of our Remembrance Declare, That Whitney & Benedict testifyed that Huntington Men bought y^e Land, Herbage, & Meadow of the Indyans from Cow-Harbo^r to Nesaquake River, w^ch was y^e chiefest Cause that cast the Case betwixt the Towne of Huntington, & M^r Richard Smyth 1672 Aug. 17 — Recorded 1672 Sept. 19

Aug: 17. 1672

Elyas Doughty
Robert Terry
James Clement
John ffoster
Renthom Moore
W^m Noble
Simon Saving. [1]

[1] Evidently Simon Seryon

Deeds 4:64 (Sec. State)

[Depositions of Benedict and Whitney.]

1672 Sept. 11 — Recorded 1672 Sept. 19

These may certify whom it concerneth, that I Thomas Benedict of Norwalk being desired by Mr Smyth of Nesaquake to give answer to an Inquiry whether I would stand to ye Explanacõn of my first Testimony concerning the Word (Land) as there explained, or whither I would own ye Testimony on ye other side of this Paper, my Answer is that I doe stick both to my first Testimony, & ye Explicacõn given under Oath; And that if any other Testimony hath been produced & made use of by Huntington Men that agreeth not with that, given under Oath wth ye Explication I gave to Mr Smyth, I doe utterly disown the same. Wittness my Hand Septembr 11th 1672.

Thomas Benedict

Wittness Thomas Hanford
Richd Olmstead
John Platt.

I Henry Whitney of Norwalk doe fully & firmly consent to ye Premisses above-written. Wittness my Hand Sept: 11th 1672. the mark of X Henry Whitn[ey]

Deeds 4:65 (Sec. State)

[Deposition of Nath. Gold.]

1672 Sept. 13 — Recorded 1672 Sept 19

These may certify any whom it doth or may Concerne that Mr Richard Smyth earnestly desired, Thomas Benedict to take Oath to ye Premisses, but hee refused, saving hee had sworne often enough in the Case already.

Wittness my Hand.
Nath: Gold. Assistant.

Farfield. [*sic*] this 13th Septembr 1672.

[Deposition of Richard Olmstead.]

Deeds 4:65 (Sec. State)

Henry Whitney being desired to give Oath to ye above said Writing, gives the same Answr that Thomas Benedict did, It being desired by Mr Richard Smyth.—Witness my Hand.

1672 Sept. 16

Recorded 1672 Sept. 19

Norwalke Septembr 16th 1672.

Richard Olmstead
Commissionr

C. A. 2:293-4, 303, 304, 310-1 (NYSL)

At a Genall Cort of Assizes held in the City of New Yorke by his Mãties Authority beginning on ye first Wednesday in October (being ye second day of the said Month, & ending the Monday following being ye 7th day) in ye 24th yeare of the Reigne of our Soveraigne Lord Charles ye 2d by the Grace of God of England, Scotland, France, and Ireland King, Defender of the faith &c: Annoqꝫ Domi 1672.

1672 October

Present

His Honor the Governor

Mr Matthias Nicolls, Mayor of ye City of N: Yorke
ab:— Mr Thom: Delavall
Mr Cornelis Steenwijck
ab:— Capt Thom: Willett
} Of ye Councell.

Capt Jno Manning — — High Sheriffe

Thom: Lovelace Esqr
Mr Cornelis Van Ruijven
Mr James Hubbard
Mr Richd Betts
} Justices of ye peace of ye West Riding.

Mr Robert Coe
Mr Richd Cornhill.
} Justices of the Peace of the North Riding.

C. A. 2:293-4, 303, 304, 310-1 (NYSL)

1672 October

ab: — Mr Jno Mulford
Capt Jno Howell
Capt Jno Young
Mr Jonas Wood
} Justices of ye Peace of the East Riding.

Mr Jno Lawrence — — Deptȳ: Mayor
Mr Isaack Bedloo — — Alderman of this City.
Capt Silvest Salisbury — } Justice of ye peace at Albany.
Capt Thom: Chambers } Justice of ye peace at Esopus.
Mr Peter Alricks — — — Bayliff of New Castle for Delaware.—

Then the Constables of this City, & of Yorkshire upon Long Island calld upon for their Attendance.

Those at ye East end excus'd.

Beforenoone.

The Court & Constables call'd over.
A Jury Empannell'd & sworne.
The Causes call'd over.

The Names of the Jurors.

Robt Jackson.	John Seaman
Willm Willkins.	Richard Stillwell
John Adams.	Robert Terry
Nathaniel Denton.	George Woolsey
Thom: Townsend.	John Garland
Jonathan Hazard.	Thom: Laurence.

* * * * * * * * * * * * * * * * * * *

Friday Octob: 4th 1672. C. A. 2: 293-4, 303, 304, 310-1 (NYSL)

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Afternoone. 1672 October

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Richd Smyth of Nesaquake... } Plt

The Inhabitts of Huntington... } Defts

Vpon ye Peticon of Richd Smith of Nesaquake to ye Governor, wherein hee alledges that at ye Tryall had in this Cort of Assizes held Anno 1670. severall false Evidences were produced at the Tryall by ye Inhabitts of Huntington, whereby ye Cort & Jury were mislead; The same being debated in Councell & referr'd to this Cort to give their Judgment & Opinion, whether upon ye Grounds afore-specifyed as well as ye Reasons & Suggestions to bee brought in there were sufficient Cause of a Rehearing or Review of the Action; The Matter being taken into Consideracon, It is adjudged & Ordered, That if the said Richard Smith can upon the first Thursday in Decembr next, when a Speciall Court is to bee held here in this City prevaile wth Thomas Benedict and Henry Whitny of Norwalk in his Mãties Colony of Conecticott to appeare at ye said Court in person, or cause sufficient Evidences then to bee produced to clear the Matter in difference, (concerning wch their Testimonyes are said to bee soe materiall) or can detect any fraud or foule practice in the said Inhabits of Huntington wch was the Occasion of their carrying the Suite, That then a Rehearing of the Case betweene the said Richd Smith & the Inhabitants of Hunting-

C. A. 2:293-4 303, 304, 310-1 (NYSL)

ton shall bee had, when ye Cort will give such further Determinacon therein as will bee consonant to Law & good Conscience.

By Ordr &c:

1672 October

C. A. 2:331-2, 335:7 (NYSL)

At a Speciall Cort of Assizes held in New Yorke by his Mãties Authority, beginning on ye first Thursday in December, (being the 5th day of the said Month) & ending ye 7th day following, in ye 24th yeare of his Mãties Reigne Annoq3 Domini 1672.

1672 December

Present —

His Honor ye Governor
Capt Thomas Delavall
Capt Cornelis Steenwijck
Mr Matthias Nicolls ——
} Of ye Councell.

Mr Jno Laurence — Mayor of this City.
Capt Jno Manning.— High-Sheriffe.

Thom: Lovelace Esqr —
Mr Cornelis Van Ruijven
Capt James Hubbard
Mr Richd Betts. — —
} Justices of ye peace of the West Riding

Mr Robert Coe
Mr Richd Cornell — —
} Justices of ye North Riding.

Thursday — Decem: 5th — Beforenoone.

* * * * * * * * * * * * * * * * * *

Richd Smith — — Plt
The Inhabits of Huntington —
} Defts

The Accusacon against Benedict and Whitney discourst of, which not being made appeare, they having justifyed

themselves in person, is pleaded in Barr to their having a New Hearing. C. A. 2:331-2, 335-7 (NYSL)

The Co^rt adjourne untill Afternoone.

Afternoone. 1672 December

M^r Smiths Busynesse againe brought into Consideracõn.

M^r Rider putts in a Paper, distinguishing Nesaquake Land from Catawamuck.//

It's not allowed of by y^e Governo^r, none appearing for the Def^ts//

The Governo^r & Councells Explanacõn of y^e Verdict of the Jury read.//

M^r Smith offers to prove Jeremy Woods Testimony to bee false; whereupon y^e Co^rt enter upon much Discourse about it.

Ben[e]dict & Whitney's Testimonyes (soe much insisted upon) read, & Land in Geñ^all menc̃oned therein to bee confirmed by Wyandance y^e great Sachem.

Another of y^e same persons not mentioning Land, only Herbage & Meadow.

The Ord^rs from y^e Governo^r & Councell read about ascertaining Nesaquake Lands, & that the Co^rt did not intend by their Judgm^t to take away any part of Nesaquake Land of Right belonging to M^r Smyth.

Thomas Benedicts Explanacõn of his former Testimony, disclayming any Land to bee purchased by Huntington, only Meadow & Herbage.//

Joseph Smith of Jamaica declared before M^r Coe, that hee had noe Intent to give in Testimony in this Case, but gave Evidence for Huntington Men that they had purchased Meadow, Herbage, and Land to Nesaquake River, for that hee apprehended Whitney & Benedict had spoken soe much as might bring them to Reproach in testifying about Land,

C. A. 2:331–2, 335–7 (NYSL)

but that hee did never know absolutely any more then Herbage & Meadow to belong unto them of Huntington.

To bee considered of by y^e^ Bench, whether to bee heard in Equity or noe.—

1672 December

After mature Deliberacõn was had thereupon by y^e^ Court, this following Order was made — — viz^t^—

Rich^d^ Smith — — P^lt^
The Inhabitants of Huntington — — } Def^ts^

This Case being taken into Consideracõn, and fully debated in Court; wherein the P^lt^ desired to bee heard in Equity for that part of Nesaquake Land on the West side of the River, w^ch^ hee alledges to bee part of the Land on w^ch^ hee was obliged to settle the first ten ffamilyes, although now Claymed by the Def^ts^, by vertue of the Verdicts they obtained at Common Law against the P^lt^ for other Land as hee conceives, It is Ordered, That for y^e^ present Respite shall bee made of any Proceeding in this matter, untill the Spring, when some time in the Month of May next his Honor^r^ y^e^ Governour intends to have a Geñ^all^ Trayning, & a Meeting of the two Troops of Horse at the East end of Hempstead Playnes, from whence some indifferent persons from y^e^ East end of Long Island, who will bee there, & some others from the West end, shall bee appointed to goe & view the said Land called Nesaquake Land on the West side of the River, & to make enquiry thereinto, in the best manner they can, & if possible make a Conclusion therein between y^e^ P^lt^ & Def^ts^, w^ch^ if it cannot bee attain'd unto, that then the P^lt^ shall have Liberty to preferr his Bill in Equity against the Def^ts^ at the next Geñ^all^ Co^rt^ of Assizes, as to that Land called Nesaquake Land, where a definitive Determinacõn shall bee made thereupon according to Law & good Conscience.//

By Ord^r^ &c:

No. XXVI.

CLAIMS OF JOHANNES DE DECKER — NEGROES, SALARY, LAND AT STATEN ISLAND.

The Determination of Mr de Deckers Case, by ye Governor & Councell. C. A. 2:635[1] (NYSL)

1670/1 Jan. 9

Whereas Mr John de Decker heretofore one of ye Councell to ye Government of the New Netherlands undr ye West India Companye before ye Reduction of theise ꝑts undr his Maties obedience having obteyned a referrence from His Royall Highnesse upon a Petition prsented unto him recomending it unto me to Examyne into ye truth of ye Allegations therein conteyned & to do him right thereupon according to ye Articles of Surrender or ye usuall Course of Justice here. Upon Serious Consultation had wth my Councell haveing likewise called ye Bench of Mayor & Aldermen of this Citty to my Assistance for their Advice where ye whole Case was Examyned into & debated wth good deliberation, It was unanimously agreed upon & consented unto that ye Suggestions in Mr de Deckers Petition touching ye 10. Negroes wch he saith were taken away from him was misrepresented to his R. Hss for that it doth not appeare that he was possesst of more then Tenne of ye Twentye he layes clayme unto, wch Ten he disposed of at his pleasure, & that those Negroes seized upon by Mr Delavall by order from Genrll Nicolls were taken as ye effects of ye West India Companye

[1] The pagination 635 is part of a modern continuous numeration for convenience. The original pagination of this volume runs in two series, and p. 635 of the continuous numeration is also p. 287 of one series of original pagination. The Council minute refers to the above order as "Entred at large in ye 3d Booke of Entryes (of Dayly Orders) Pag: 287, to wch to referr."

C. A. 2:635 (NYSL)

1670/1 Jan. 9

& not as belonging to Mr Decker, for ye wch Genrll Nicolls stands charged Debtor to ye West India Companye, & hath given creditt to his R Hss for them in his Account, And Mr Decker no way named therein, And as to ye othr prtences of ye said Mr John de Decker concerning his Sallarye due from ye Said Companye, It is found in ye Said bookes that there did remaine due to him ye Sume of 7349 Gldr. 14st 04d out of wch he is to discount for 8. of ye Negroes he receiued & carryed wth him to St Christophers besides what more ye said Companye hath to Charge him wth ye wch not standing in ye books here there can no Cognizance be taken thereof, neithr can Mr de Decker properly Expect to be satisfyed his sallarye here, although there were effects over & above his prtences undisposed of, for that his Account was made up, & closed in their books, & he referr'd for payment wth ye rest of their Councell to ye West India Companye in Holland.

This being ye true Estate of ye Case as by ye strictest Examination & best inquirye it can be found, It is humbly referr'd back to his R. Hss for his furthr consideration & determination as he in his prudence & wisdome shall thinke fitt. Given under my hand at ffort James in New Yorke this 9th day of Jannuary in ye 22th yeare of his Maties Raigne Annoqꝫ Dñi 1670. [Francis Lovelace.]

C. A. 2:634 (NYSL)

The Governors graunt of 120. Acres of Land to Mr de Decker on Statten Island

1670/1 Jan. 9

Whereas Mr John de Decker heretofore one of ye Councell to ye Government of ye New Netherlands undr ye West India companye before ye reduction of theise partes to his Maties Obedience hath prsented unto me a Petition That he may be Invested in a certaine peice of Land upon Staten Island conteyning about 60. margen or 120. Acres for ye wch he

hath a Patent or Ground breife bearing date y^e^ 15^th^ day of May 1664 w^ch^ was some months before the Surrender of y^e^ place, In regard of y^e^ paines and trouble y^e^ said M^r^ John de Decker hath beene at in takeing a Voyage out of Europe hither about this & oth^r^ his Concernes I haue w^th^ y^e^ Advice of my Councell thought fitt to gratifye him herein although according to y^e^ Strictnesse of y^e^ Lawes & y^e^ Custome of y^e^ Country his right thereunto is Elapsed Always provided that y^e^ Pretences to y^e^ said Land by M^r^ de Decker or his Assignes do no wayes p^r^judice y^e^ Towne already setled, nor y^e^ oth^r^ Towne ordered to be layd out upon y^e^ said Island, The w^ch^ if it shall so happen to bee Then that there shall be allotted unto him y^e^ like quantitye of Land to be laid out in Some oth^r^ convenient place by my ord^r^ for y^e^ w^ch^ he shall haue a New Pattent, & that he be obliedged to settle or plant upon y^e^ Same w^th^in y^e^ Space of one yeare aft^r^ y^e^ date hereof. Given und^r^ my hand at ffort James in New Yorke this 9^th^ day of Jannuarye in y^e^ 22^th^ yeare of his Ma^ties^ Raigne Annoq̃ Dñi 1670. [Francis Lovelace.]

C. A. 2:634 (NYSL)

1670/1 Jan. 9

No. XXVII.

STATEN ISLAND — LAND OF JACOB MELYN.

June y^e^ 4^th^ 1668.

C. A. 2:527 (NYSL)

Upon y^e^ Petition & request of M^r^ Jacob Molline that his fathers interest may be taken into consideracõn upon y^e^ Settlem^t^ of Staten Island, The Governo^r^ ordered it to be entred upon Record that Care shall then be had of him so farre as that he shall be allowed a Convenient proporcõn

1668 June 4

C. A. 2:527 (NYSL) of Land upon y^e^ said Island in lieu of what was reserved by his fath^r^ & promised him by y^e^ west India Company.

1668 June 4 Extracted out of y^e^ Records in y^e^ Office at ffort James in New Yorke

M. Nicolls Secr̃.

No. XXVIII.

BROOKHAVEN (SEATALCOTT) — LAND AFFAIRS AND WHALING.

[Indian Deeds to Brookhaven.]

Deeds 2:183 (Sec. State) Mar: 7^th^ 1666. An Indyan Deed Entred for the Towne of Brookehaven.

1655 Apr. 4 — Recorded 1666/7 Mar. 7 Articles of Agreement, & a firme bargaine agreed & confirmed betweene the Sachem of Seatalcott Warawakin by name, with the joint consent of himselfe & next of his kindred, have bargain'd & sold unto John Scudder, John Swesie, Jonathan Porter & Thomas Mabbs, A parcell or Tract of land w^th^ all Meadowes, vpland, timber trees or whatsoever benefitt or priviledges thereunto belonging, next adjoining to the bounds of Nesaquake, & from thence being bounded with a River Eastward, & bounded next unto Nesaquake bounds (as by trees being mark't doth appeare: Also the Sachem with the Consent of his next kindred hath giuen free leaue & liberty, & graunted unto the said purchas^rs^ free liberty for their Cattle to runne beyond the bounds if occasion bee, or to cutt Timber as farre East as they thinke fitt: And to come once in two yeares to renew the markes of the bounds, & to giue the s^d^ purchas^rs^

for them or who they shall putt to liue there, full, free & quiet possession of the s^d^ purchase &c̃: And if the Indyans shall wrong the s^d^ English, either by their Dogges hurting of their Cattle, or any otherwayes, that then y^e^ Sachem shall see that satisfaction bee made according to the wrong done; So also if the English do any wrong to the s^d^ Indyans, that the English shall make them satisfaction: Also the said Sachem shall not entertaine any strange Indyans or others neare unto vs whereby to doe vs any wrong but shall timely discover vnto vs any plotting or hurt that shall bee intended against us: And y^e^ like shall wee doe unto him, To the end that peace may bee maintained amongst vs: And for & in consideracõn of the said Tract or purchase of land, Wee the said purchas^rs^ doe hereby engage o^r^ selues to pay unto the s^d^ Sachem the Goods as in particular are written following within one moneth followeing the date hereof; And for the confirmacõn of the same haue sett my hand with y^e^ rest of my kindred. Dated this 4^th^ day of Aprill 1655

Deeds 2: 183 (Sec. State)

1655 Apr. 4

Recorded 1666/7 Mar. 7

Here was underwritten.

10 Coates.
12 Hoes.
12 Hatchets.
50 Muxes.
100 Needles.
6 Kettles.
10 ffathom of Wampom.
7 Yests of powder.
1 paire of childs stockings.
10 pound of Lead.
1 Douzen of kniues.

The markes of Warawakin & of thirteene more of his kindred.

Wittnesses hereunto
George Tonge

The marke of
John X Cosby.

Deeds 2:185 (Sec. State) Mar: 8th 1666 Entred for Brookhauen.

[n. d.] Recorded 1666/7 Mar. 8

This writing wittnesseth That I Wyandance Sagamore of Long Island doe promise to sell the great Neck to the Inhabitants of Setaulcott upon the deliuery of the Goods hereunder mentioned, vizt Six Coates, six Kettles, one brasse Gunne, one Troopers Coate, Tenn kniues, one paire of Shoes, Two pound of powder, two pound of lead, twenty Muxes forty Needles.

Deliuered him in part of paymt for the purchase abovesd one paire of Shoes.

Memorandum The name of the Neck aboues[d] is Cataconocke.

Mar. 8th 1666. Entred for Brookehaven.

This writing wittnesseth That I Wyandance doe by these prests make over all my Right & Interest in the Old ffield vnto the Inhabitants of Setaulcott for them & their heyres for ever, And doe engage my selfe & heyres to maintaine & defend their Right against all that shall hereafter disturb them. As wittnesse my hand

Wittnesse: George Southerne
The marke of Chiconoe & another Indyan called Osasara Tacckcoe.

The marke of Wyandance.
And another Indyans marke called Mahew

Mar: 8th 1666. Recorded for Brookehaven.

Deeds 2: 186 (Sec. State)

Brookehaven 1664: June ye 10th.

1664 June 10 and 1664/5 Mar. 9

This Indenture wittnesseth a bargaine or agreement betweene the Sachem of Vncachage, Tabacus & the Inhabitants of Brookehauen alıs Seatauke concerning a parcell or tract of Land lyeing vpon the Southside of Long Island being bounded on the South with the Great Baye, & on the west with a fresh Pond adjoining to a place comonly called Acombamock, & on the East with a River called Yamphanke, & on the North it extends to the midle of the Island; Provided the aforesd Tabacus have sufficient planting land for those that are the true native Proprietors & their heyres, Also that either & both Parties haue free liberty for fishing, fowling, & hunting without molestacon of either Party, And this is in consideracon of a certaine sum of money to bee paid to the valuation of fifty fathom of Wampom As witnesse my hand the date & day abovewritten:

Recorded 1666/7 Mar. 8

The Marke of
Tabacus.

Signed, sealed & deliuered
in the presence of vs.
Richard Howell
John Cooper.

March the 9th 1664.

The Contents of this Deed abouewritten owned by Tabacus Vncachage Sachem & the Subscription thereof, in the presence of vs.

ffurther the said Sachem disowned that ever hee sold John Scott any Land.

John Howell
John Younge.

Deeds 2: 187 (Sec. State) Mar: 8th 1666. Recorded for Brookehaven.

1664 June 10 — Recorded 1666/7 Mar. 8

Mahew Sachem of Setauke doth freely give and surrender unto the Comittee of Conecticott appointed for settling of buisnesse on Long Island, for the vse of the Towne of Setauke, the feede & Timber of all the lands from the old mans, to the wadeing Riuer, As wittnesse my hand this 10th of June. 1664

The marke of
Mahew.

Testes.
John Cooper.
Richard Howell.

Masseteuse & the Sunke Squaw Natives Proprietors & owners of all the Lands belonging to the Tract of Land comonly called the old Mans doe freely & absolutely sell & will defend the Title to the Inhabitants of Setauke & their Successors for ever, for & in consideracon of a certaine value of Goods here under written, to bee deliuered within one moneth after the date hereof: As wittnesse our hands this 10th of June: 1664.

The markes of
Massetewse &
The Sunke Squaw.

Signed in the prescence
of vs:
John Cooper
Richard: Howell.

ffoure Coates.
ffoure paire of Stockings.
Two Yests of powder.
Two barres of Lead.
Six Hoes.
Ten Hatchetts. &
Ten Knives.
More Six Coates.
ffoure shirts
Three peck Kettles.

This abovewritten owned, & the contents thereof w^th^ all the severall kinds of pay receiued, (Excepting the Kettles, Hoes & Hatchetts,) by Mahew & Massetewse.

Deeds 2 : 187 (Sec. State)

1664 June 10

In the prescence of vs.
John Howell.
John Young.

Recorded 1666/7 Mar. 8

An Ord^r^ Concerning the Whales w^th^in Sea-Talkett bounds.

O. W. L. 2 : 205 (NYSL)

1668 Apr. 1

Whereas The Inhabitants of the Towne of Seatalcott (als Brookhauen) are invested in a certaine Tract of Land by vertue of their Pattent wherein their bounds are ascertained & confirmed to be from the North to the South sea, w^th^ seuerall priviledges therein exprest, Howeuer the said Inhabitants haue made their Comp^lt^ vnto me that some oth^r^ persons not belonging to the said Towne of Seatalcott w^th^out their leaue or Consent doe p^r^tend a Priuiledg vpon the Beach lying to the South & w^th^in their bounds aforesaid, & haue actually cutt vp & carryed away some partes of a whale or great Fish contrary to the Priuiledges of the said Towne vpon p^r^tence of an Agreement made w^th^ some Vnquechanke Indians These p^r^sents serve for a furth^r^ explanac̃on of the said Pattent That by vertue thereof the Inh̃itants of the Towne of Seatallcott (alias Brookhauen) aforesaid & no oth^r^ w^th^out their Consent, shall or may cutt or carry away any whales or Great Fish w^ch^ are or hereafter may be cast vpon any parte of the Land or Beach w^th^in the bounds & lymitts of the said Pattent therein expresly sett forth to be given & graunted Giuen und^r^ my hand at Fort James in New Yorke the First day of Aprill 1668.

[R. Nicolls.]

O. W. L. 2:263 (NYSL)

An Order heretofore graunted to the Towne of Seatauckett about the whales at the South suspended vpon the Peticon of Joseph Rayner &c.

1668 Oct. 12

Whereas Joseph Rayner Richard Howell and Anthony Waters haue made complaint unto me that by misinformacon yo^{u} did the last yeare obteyne an order from the late Governo^{r} for the enioym^{t} of a certaine ꝑcell of Beach to the South supposed to be wthin the lymitts of yo^{r} Pattent but formerly purchased by the Comp^{ts} or some one of them & a valuable Consideracon giuen for the whales that should be cast up thereupon for the space of a certaine terme of yeares not yet expired These are therefore at p^{r}sent to suspend the benefitt of the order yo^{u} did soe obtaine & to require yo^{u} to permitt & suffer the Comp^{ts} to enioy what they haue purchased untill yo^{u} can make a better right appeare the including of the lymitts & bounds thereof in yo^{r} Patent notwithstanding Giuen und^{r} my hand & Seale at Fort James in New Yorke this 12th day of Octob^{r} in the 20th yeare of his Ma^{ties} Raigne Annoꝙ Dñi 1668.

[Francis Lovelace.]

O. W. L. 2:317 (NYSL)

A Letter from the Gouerno^{r} to y^{e} Constable & Ouerseers of Seatalcott. Dec^{r} 15. 1668

Loving freinds

1668 Dec. 15

I haue rec^{d} an Adresse from yo^{u} by the hands of M^{r} Woodhull & M^{r} Dayton full of dutifull & kind expressions w^{ch} I take very well at yo^{r} hands & hope yo^{r} expectation shall not be frustrated as to my Endeauo^{rs} in the Encouragem^{t} of all good people & dispensacon of Impartiall Justice

throughout the Gouernmt his R. Highnes hath intrusted me wthall: The persons you sent did also make a Complaint against Joseph Rayner & Richard Howell as if they had surprized you by obtaining an order from me about the Whales cast vpon the beach to the South of the Island wthin yr prcincts, wch you had a former order to injoy from my prdecessor I doe thinke it conuenient to respite my iudgmt therein untill the beginning of March next when I doe intend (God willing) to goe downe to the East End of the Island & shall then heare what both you & they haue to say to the matter & accordingly will giue my Judgmt thereupon In the meane tyme if any Whales shall be cast vp You or they who first haue notice may take care to prserue them & where the right shall be adiudged those who shall take them without a good title shall bee accountable to the other for them I haue no more but to recomend you to Gods protection & rest

O. W. L 2:317 (NYSL)

1668 Dec. 15

Yor assured Loving freind
Fran: Louelace

To the Constable & Ouerseers
of Seatalcott als Brookhauen.
Decr 15. 1668.

Liberty Graunted for Severall ꝑsons of ye Towne of Seatalcott to purchase one hundred Acres a peice there.

C. A. 2:629 (NYSL)

Whereas I haue Recd a Petition from Severall ꝑsons of ye Towne of Brookhaven als Seatalcott being in numbr Eleaven whose names are hereaftr wrytten that they may haue libertye to make purchase of a certaine Peice of Land to ye South wthin ye Lymitts & bounds of their Pattent ye wch hath not as yett beene bought of ye Indian Proprietors, ye said persons

1670/1 Jan. 12

C. A. 2:629 (NYSL)

alleadging their p[r]sent want of Accommodation for their Stocks & proposing to plant & settle thereupon It being a place where likewise they can y[e] better prosecute y[e] designe of Whale fishing, These are to certifye all whome it may concerne that for an Encouragem[t] to planting as also of y[e] Whale fishing designe, I do hereby graunt unto y[e] said persons Lycence to purchase at y[e] place aforesaid each of them y[e] quantitye of one hundred Acres of Land woodland & meadowe togeth[r] as it shall happen to fall out, y[e] w[ch] when they shall haue accomplished & make retorne thereof unto me I shall giue them a furth[r] Assurance for y[e] same. Alwayes provided that this shall no wayes debarre y[e] rest of y[e] Towne from their Co̅monage in y[e] woods or meadow ground already laid out for each Lott at y[e] South, y[e] w[ch] by Vertue of this Graunt is no way to be encroacht' upon. Given und[r] my hand & Seale at ffort James in New Yorke this 12[th] day of Jannuary in y[e] 22[th] yeare of his Ma[ties] Raigne Annoq̃ D̃ni 1670.

1670/1 Jan. 12

[Francis Lovelace.]

C. A. 2:631 (NYSL)

The Governo[rs] graunt to M[r] Daniell Lane & M[r] Richard Woodhull for a farme at y[e] Wading Ryver.

1670/1 Jan. 12

These are to Certifye all whome it may Concerne that this day y[e] Governo[r] hath given a graunt unto M[r] Daniell Lane & M[r] Richard Woodhull of Seatalcott, for to haue each of them a farme at y[e] Wading Ryver but thinks fitt to respite their Lycence of Purchase & Pattent untill he shall bee Satisfyed of y[e] quantitye & qualitye of y[e] meadow there. This I was ordered to enter upon y[e] Records, Dated at New Yorke this 12[th] day of January 1670.

[M. Nicolls, Secr.]

No. XXIX.

SOUTHAMPTON — CONFIRMATION OF LAND, SALE OF STRONG DRINK TO INDIANS, WHALING, ETC.

A Licence to John Laughton to sell some poud[r] & liquo[r] to y[e] Indyans. O. W. L. 2:440 (NYSL)

1669 June 19

Whereas John Laughton of Southampton hath requested my licence that hee may dispose of or sell some small quantity of liq[rs] and powder to the Indyans there that they may bee the more helpfull to him in the wheale fisshing wherein hee is a partner and in Clerring some grounds for him. These are to Certifye all whome it may concerne that I haue given licence to the said John Laughton to make Sale or paym[t] for worke to the said Indyans upon the accoumpt afores[d] in liq[rs] and Powder prouided the quantity of Liq[rs] bee not aboue 3 ancors nor powder more then 30[ti] And that it no way tend to the breach of the Lawes or disturbance of y[e] Publick peace this licence is to Continue for one yeare after y[e] date hereof and no longer. Given under my hand at Fort James in New Yorke this 19[th] day of June 1669.

Fr. L.

An Order confirming severall former ord[rs] made concerning John Cooper & oth[rs] engaged in y[e] trade of whale catching. C. A. 2:622 (NYSL)

1670 Dec. 29

Whereas there haue beene lately made at Southampton by y[e] Comission[rs] for y[e] Indian affaires in y[e] East Ryding of

C. A. 2:622 (NYSL)

1670 Dec. 29

Yorkshire upon Long Island severall orders Dated y^e 6^th 7^th & 8^th Days of Decemb^r last, Two whereof doe more ꝑticulerly relate to John Cooper of Southampton, & y^e third both to himselfe & others engaged in y^e designe of whale fishing who do imploye Severall Indians thereabouts for their Assistance therein Upon mature Deliberation & consultation had hereupon, I doe w^th y^e Advice of my Councell approve of & confirme what y^e Com^rs aforementioned haue done in their said orders, & do likewise recomend that Clause in y^e Ord^r of y^e 8^th of Decemb^r concerning what shall be given to y^e Indians for their Service in that imploye to be punctually observed as long as it shall be found convenient & practicable, but w^thall if it shall prove otherwise & that other agreements are ꝑmitted to be made w^th y^e Indians for their worke by any ꝑson or Company I doe hereby graunt & allowe That John Cooper aforementioned who is said to be one of y^e first that brought y^e Indians to be serviceable in that designe haue for his encouragem^t altogeth^r as much libertye to make his Conditions w^th y^e Indians for their Service as any oth^r ꝑson or companye shall p^rsume to take, & if he hath alreadye made any Agreement w^th any of y^e Indians upon this Account for any ꝑticuler Season or tyme p^rcedent to what hath beene made w^th them by others, y^e first agreement is to stand good & if y^e Indians so agreed w^th, do refuse to make good their engagem^t they are not to be ꝑmitted to worke w^th any others untill they haue ꝑfourmed y^e same. Given und^r my hand at ffort James in New Yorke this 29^th day of Decemb^r in y^e 22^th yeare of his Ma^ties Raigne Annoq̃ Dñi 1670.

[Francis Lovelace.]

A Comission for ye Indian named *Quaquashawg* to be Sachem. C. A. 2 : 623 (NYSL)

1670/1 Jan. 2

Francis Louelace Esqr &c Whereas It hath beene usuall & is found very convenient that some ꝑson amongst ye Indians should in their respectiue Tribes or Nations be as cheife or Sachem over ye rest as well to keep them in ye bettr order as to be responsible for any mischeife they should happen to comitt, & ye Indians neare Southampton in ye East Ryding of Yorkshire upon Long Island comonly called ye Shinnacock Indians being destitute of such a ꝑson having nominated & elected ye Indian named *Quaquashawge* to be their Sachem who is likewise approved of by ye English to be a fitt person amongst them for that purpose by reason of his quiett and peaceable disposition, I haue thought fitt to confirme & appoint ye said Indian *Quaquashawg* to be Sachem over ye Shinnacock Indians of ye wch they are all to take notice & obey him as their cheife & Sachem. Alwayes provided that he nor ye rest of his Indians doe not hereby prsume to transgresse such orders & rules as are appointed for them to observe by ye Comrs of ye Indian affayres in those parts, but that he Applye himselfe to keep his Indians in peaceable & good ordr both amongst themselues & also amongst their neighbours. Given undr my hand & Sealed wth ye Seale of ye Province at ffort James in New Yorke this 2d day of January in ye 22th yeare of his Maties Raigne Annoq̃ Dñi 1670.

[Francis Lovelace.]

Recorded by Ordr of
ye Governor

Anothr Comon for a Sachem at Easthampton
wth a blanke to put in a name.

C. A. 2:625 (NYSL)

A Comission graunted to y^e^ Indian named Cawbutt to be Constable over y^e^ Shinnacock Indians.

1670/1 Jan. 4

Whereas it hath beene proposed unto me that for y^e^ bett^r^ keeping of y^e^ Indians in good order it would be requisite that one amongst them should be nominated and appointed as Constable, & that he may haue a Staffe w^th^ y^e^ Kings Armes thereon by y^e^ Reputation whereof y^e^ rest of y^e^ Indians may be kept in a more quiett & peaceable condic̃on And having beene sued to for a Confirmation of a Sachem over y^e^ Indians neare Southampton comonly called y^e^ Shinnacock Indians y^e^ w^ch^ accordingly I haue graunted, I do also hereby allow of y^e^ Indian called *Cawbutt* who is recomended to be a person of a peaceable temper to be Constable amongst y^e^ said Shinnacock Indians, & that he haue a Constables staffe as is desired, He is by vertue of his office to keep his fellow Indians in good order & to suffer no violence or abuses to be offer'd amongst them by Excesse of Drinke or otherwise, & w^th^all to obey his Sachem, & to observe y^e^ Rules & orders appointed by y^e^ Com^rs^ for y^e^ Indian affaires there for y^e^ doeing whereof this shall be his warrant. Given under my hand at ffort James in New Yorke this 4^th^ day of January in y^e^ 22^th^ yeare of his Ma^ties^ Raigne Annoq̃ Dñi 1670.

[Francis Lovelace.]

Recorded by order of
y^e^ Governo^r^

Anoth^r^ warr^t^ for a Constable at
Easthampton w^th^ a blanke.

An Ordr prohibiting ye selling of Stronge Liquors to ye Indians. C. A. 2:626 (NYSL)

Whereas Severall Complaints haue beene made unto me from ye Townes in ye East Ryding of Yorkshire upon Long Island of divers abuses comitted by ye Indians amongst themselues & sometymes amongst Christians occasioned by their inordinate & Excessive drinking of Strong Liquors whereof bloodshed hath often ensued, & frequently great danger of murther to be comitted, And there being likewise othr Complaints that ye Indians doe ꝑfourme outward worship to ye Devill by Powowing in or neare ye Townes ye wch is contrary to ye Laws Establish't in theise his R. Hss Territoryes & dominions, These are to require all officers of Townes or others whome this may Concerne that they Cause ye Lawes prohibiting ye abuse of selling Liquor to ye Indians to be put in Execution & that ye best course be taken to restraine these Exorbitances they are thereby subject unto, & also that ye Indians be not suffered to Powow, but ye Laws in that Case be also followed, with this Provisoe that such ꝑsons who Imploy Indians in their whaling designe may haue libertye to giue them Encouragemt by affording them some small quantityes of Stronge Liquor for their releife & that it be done wth Such moderation that no disordr or abuse do come thereby; Likewise that ye Indian Sachems of Shinnacock & Meantaukett haue some priviledge more then ordinary Concerning ye Receiving or disposall of ye like Small quantityes of Liquors to such Indians as they thinke deserve well of them. Given undr my hand at ffort James in New Yorke in ye 22th yeare of his Maties Raigne Annoq̃ Dñi 1670. 1670/1 [Jan. 4]

[Francis Lovelace.]

C. A. 2:627 (NYSL)

The Governors Lre to Mr John Mulford, Mr Thomas James & Mr Jeremiah Conckling at East Hampton.

Gent.

1670/1 Jan. 5 The Governor hath received yor Lre by ye hands of Mr Cooper, wherein you intimate what conclusion you haue made wth ye Indians for whome you were Suretyes to ye Comrs. He hath also ꝑused ye Copy of yor Indian Deed for a ꝑcell of Land made over to you in satisfaction for what you haue disburst for them, for wch deed you desire his Honors Confirmation & that it may be Recorded;

The Governor having advised wth his Councell upon this & other matters from yor parts hath beene pleased to giue me ordr to retorne you an Answer, that he is well satisfyed wth ye Conclusion you haue made wth ye Indians & also that I should take a Copy of yor Deed to haue it Recorded, but desires since there are Comrs wth you appointed for ye Indian Affaires that they should certifye unto him ye nature & Extent of ye Land made over to you by ye said Indians wth an Attestation of their free consent thereunto that hereaftr they may haue no Cause of Complaint that they haue beene Constrayned to parte wth their Land against their Will, Not that there is ye least distrust of yor integritye in this or any other matters, but you being ye persons cheifly concerned it will be more regular to haue a Certificate about ye same from ye othr Comrs no way related thereunto then from yorselfes, ye wch being done you may haue what furthr Confirmation is requisite. ffor othr matters wherein you left a lattitude for Mr Cooper to Act as about restraint of selling Liquors to ye Indians & such othr matrs he hath ye Severall ordrs thereupon, & will acquaint you what ye Governor hath done therein.

His Honor intends to Answer Mr Mulfords Lre, & what Mr James adds at ye latter of yours more Particulerly, So I conclude leaving you to the Protection of ye Almighty & remaine C. A. 2:627 (NYSL) 1670/1 Jan. 5

Yor Very humble Servt
Matthias Nicolls [1]

New Yorke
Janry 5th 1670.

An Ordr concerning ye Shinnacock Indians. C. A. 2:630 (NYSL)

Whereas I haue thought fitt to graunt & order Severall matters relating to ye Indians of Shinnacock & Montaukett as also concerning those imployed in ye whale fishing, & ye abuse of selling stronge Liquors to ye Indians & their Powowing all wch graunts & orders are Sent by ye hands of Mr John Cooper of Southton These are to require you upon sight thereof that you forthwth cause ye Same to be publish't in ye Severall Townes of Southampton & Easthampton & partes adjacent, & for what relates to ye Indians that you desire Mr James & Mr Stanton or some othrs well acquainted wth ye Indian Language to interprett those matters unto them & likewise acquaint them with my pleasure herein, & for so doeing this shall be yor warrant. Given undr my hand at ffort James in New Yorke this 5th day of January 1670. 1670/1 Jan. 5

[Francis Lovelace.]

To Mr John Jennings —
Marshall of ye East Ryding.

[1] Written by Nicolls as secretary for Governor Lovelace.

C. A. 2: 646 (NYSL)

The Com^rs appointed for y^e Indian affaires at y^e East end of Long Island, ordered to giue an Acc^t to y^e Governo^r concerning some of y^e Inhitants of Easthampton.

1670/1 Feb. 8

Whereas M^r John Mulford M^r Thomas James & Jeremiah Conckling of Easthampton did request my confirmation of y^e Sale of a certaine ꝑcell of Land by some of y^e Montaukett Indians unto them to w^ch end they desired y^e said deed might be Recorded in y^e Office of Records here according to Lawe, y^e w^ch I thought good to suspend untill I should receiue some further satisfaction therein from y^e Com^rs appointed for y^e Indian affaires at y^e East end of Long Island, And there being since that a Caveat desired to be entred by M^r Thomas Backer on behalfe of y^e Majo^r parte of y^e Towne of East hampton against y^e said Deed of Sale as being contrary to a former order & agreement made in y^e tyme of my Predecessor Co^ll Richard Nicolls, & may prove a great p^rjudice to y^e rest of y^e Townes if they should be debarr'd of their Comonage there, These are to ord^r & appoint the Commission^rs for y^e Indian affaires aforesaid to take y^e p^rmisses into their Serious considerations & haueing carefully Examyned into y^e Same that they giue me Account thereof so that I may proceed thereupon according to Justice & good Conscience. Given und^r my hand at ffort James in New Yorke this 8^th day of ffebruary in y^e 23^th yeare of his Ma^ties Raigne Annoq Dñi 1670.

[Francis Lovelace.]

To y^e Com^rs for y^e Indian affaires at y^e East end of Long Island.

The Governors Łre to Mr Mulford. C. A. 2:647 (NYSL)

Mr Mulford

1670/1 Feb. 9

I Recd yor Łre of 21th of December, & I hope I haue taken such a Course (by Mr Cooper) as may satisfye yor just complaint touching ye Exorbitance of ye Indians, & truely if you reflect but on ye power I haue invested you togethr wth ye rest of ye Comrs for ye Indian affaires, you will then conclude, that I should rathr expect to heare of ye Indians conformitye to yor orders, as to dispose them to a better temper of life then to heare any Complaint of yours to ye contrary since I haue invested you wth power sufficient to Exact an obedience from them, but I hope all things are now to your satisfaction as to that perticuler.

I was since sollicited by Mr Topping in an affaire that I thought I had likewise taken care for, concerning ye Two Indians that Mr Cooper prtended to apperteyne to him by precontracts, I must confesse (though as you may well imagine) I was much in ye darke and so likewise ye rest of my Councell, as to an affaire of this distance, yett my care was so circumspect as not to lessen ye former authoritye I had invested you & ye Comrs wth, that I resolved to referre ye matter wholly to your consideration & to extend that Justice as you conceived most effectuall. The businesse therefore as then so now lyes before you to determyne, to wch Mr. Topping chearfully Submitts, & therefore I recomend it wholly to you, The occasion as is alleadged of Mr Topping's taking this paines of a Journey hithr, was that ye ordr whereby ye Comrs were desired to decide ye difference betweene him & Cooper was not product, wch so soone as he ꝑused ye Record of it, he see'md to be so satisfyed wth it, that he never would haue taken so fruitlesse a Journey had he had but a sight of it there To wch direction & order I haue still referr'd, & therefore Expedite ye difference as speedily as may be.

C. A. 2:647 (NYSL)

1670/1 Feb. 9

Whils't I was dispatching him to his satisfaction I receiued anothr Lre from yor of ye first of ffebruary 1670, wherein you seemed to Complaine as if yor feared you might be misrepresented to me by Mr John Topping (& likewise for wch I am indebted to your freindship) that I was traduc't by him, as if I had graunted out an Execution before both partyes were heard, T'is true yor apprehended it rightly when it was so answer'd that that was false, for yor know my order was not in ye nature of an imediate Execution, but wth a reservation to ye determination of ye Councell for ye Indian affaires to wch I still referre him, chusing rathr to incurre ye censure of a remissnesse, then in that where I cannot make a cleare demonstration (by my determination) an injustice to eithr partye, & therefore left ye whole affaire as I found it to yor who being on ye place had better oppertunityes to discover ye subtiltyes of it, then I with all my assistance could do, having now declared so much I can add no more to this perticuler, but it lyeing before yor that yor prosecute ye Scope of that order Mr Cooper brought to you, & to determyne as (I am confident yor will) with Equity & Justice.

I haue likewise sent yor my resolution concerning yours & Mr James purchase of ye Indian land but in regard it has mett with fresh oppositions from your Towne, I desire that matter may be a little Suspended till I haue ye oppertunitye (God willing) to visitt those parts & then I doubt not but to compose all affaires so as shall be to mutuall satisfaction, till then I must desire yor patience, I haue onely to add this (it being ye Subject of yor last Letter) that Mr Topping has not deliuered any thing to me concerning yor ꝑson but what Savoured much to yor worth & reputation Coñend me kindly to Mr James & Excuse my not wryting to him, being resolved before longe to visitt him.

I haue no more but my kinde respects to all o^r freinds & desire yo^u to beleive that I am

C. A. 2:647 (NYSL)

Yo^r assured freind
F. L.

1670/1 Feb. 9

ffort James
9^th of ffeb^ry
1670.

The Governo^rs Ratificacon of y^e Agreem^t made between M^r John Mulford, M^r Thom: James &c: w^th some Indyans touching a certaine parcell of Land.

G. E. 4:104 (NYSL)

Whereas there was an Agreem^t made bearing Date y^e first day of December 1670. between M^r John Mulford Justice of y^e Peace, M^r Thomas James Minist^r & Jeremy Concklyn Inhabitants of East-Hampton on y^e one part, & severall Indyans on y^e behalfe of themselves & their Associates, y^e Proprieto^rs of y^e Land at Meantaukett on y^e other part, touching a certaine parcell of their Land, the which y^e said Indyans had convey'd & made over unto y^e said M^r Mulford & Company upon y^e Considerations in y^e said Agreem^t sett forth, All w^ch was returned unto mee w^th their Request that y^e Agreem^t might bee Recorded, & my Confirmacon had thereupon, but for some Reasons for that time was suspended untill Certificate was made unto Mee by the Commissio^rs for y^e Indyan Affayres in those parts, That all Obstructions & Objections against y^e Agreem^t afores^d were removed, & that there was a right Vnderstanding on all parts had thereupon; These Presents therefore Certify & Declare, That the Agreem^t of Purchase made by the aforenamed M^r John Mulford, M^r Thomas James, & Jeremiah Conckling with the Meantaukett Indyan Proprieto^rs aforemenconed, re-

1671 May 3

G. E. 4:104 (NYSL)

turned into y^e^ Office of Records here, is to all Intents & purposes of fforce & valid according to y^e^ Condic̃ons therein sett forth, & I doe hereby allow of & confirme y^e^ same, against all other pretences whatsoever. Given under my Hand & Seale at Forte James in New Yorke this third day of May in y^e^ 23^th^ yeare of his Mã^ties^ Reigne, Annoq̃ Domini 1671.

1671 May 3

[Francis Lovelace.]

G. E. 4:20 (NYSL)

A second Lycence granted to John Laughton of Southton to sell some Liquo^rs^ or Powd^r^ to y^e^ Indyans.

1671 Aug. 19

Whereas John Laughton of South-Hampton upon Long Island hath formerly had a Lycence from mee for the selling some small quantity of Liquo^rs^ and Powder to the Indyans there, to y^e^ end they might be y^e^ more helpfull to him in y^e^ Whale-ffishing (wherein hee is a Partn^r^) & in clearing some Grounds for him, y^e^ Date of w^ch^ Lycence being now expired, and it appearing not hitherto that hee has any wayes behaved himselfe incivilly in that Employ; These are to Certify all whom it may concerne that I have againe given Lycence to the said John Laughton to make Sale or payment for Worke to y^e^ said Indyans upon y^e^ Acco^t^ aforesaid in Liquo^rs^ or Powder; Provided y^e^ quantity of Liquo^rs^ be not above foure Anchors, nor Powder more then fourty or ffifty pound, and that it noe wayes tend to y^e^ breach of the Lawes or disturbance of y^e^ publique peace. This Lycence is to continue for one yeare after y^e^ Date hereof, and noe longer. Given under my Hand at fforte James in New Yorke this 19th day of August. 1671.

[Francis Lovelace.]

Commission for Capt John Howell to be a Justice of ye peace in ye E. Riding of Yorkshire &c: G. E. 4:54 (NYSL)

1671 Oct. 18

Francis Louelace Esqȝ &c: Whereas I have conceived a good Opinion of ye Ability & Integrity of you Capt John Howell of Southampton in ye East Rideing of Yorkshire upon Long Island for the carrying on of Publiqȝ Affayres, I have therefore thought fitt to Constitute & Appoint you to be a Justice of ye peace of this Governmt within ye Rideing aforesaid. Giveing you full power and Authority to Execute all such Lawes as already are, or hereafter shall be made for ye good Governmt of these his Royall Highness his Territoryes; Hereby willing & requiring you to discharge your Duty as a Justice of ye peace ought to doe, and to observe such Rules & Instructions from time to time as you shall receive from mee concerning the same. And all other Persons within this Government are hereby strictly Charged & required to take Notice hereof, and to beare respect and give Obedience unto you in ye performance of yor Office of a Justice of peace appointed by Authority of his Royall Highness. And this Commission is to bee of fforce for one whole and entire yeare after the Date hereof. Given under my Hand & Seale at Forte James in New Yorke this 18th day of Octobr in ye 23th yeare of his Mãties Reigne. Annoqȝ Dñi 1671.

ffran: Lovelace

An Ordr about Whales. G. E. 4:123 (NYSL)

1672 May 2

Whereas I am given to understand, That there hath been great Abuse by ye neglect of ye Officrs of severall Townes

G. E. 4:123 (NYSL)

upon Long-Island in not makeing Enquiry into or securing his Royall Highness his part of Drift Whales or Great ffish cast upon y^e^ Beach or Shoare according to y^e^ Directions in y^e^ Law, the w^ch^ other persons p^r^sume to Engross without rendring any Acco^t^; ffor y^e^ p^r^vention thereof for the future, and better securing y^e^ Dukes Interest therein, I have thought fitt to Constitute and Appoint, & by these Presents have hereby Constituted and appointed M^r^ W^m^ Osborne, & M^r^ Jn^o^ Smyth of Hempstead to make strict Enquiry either by Indyans or others, of all such Drift Whales or great ffish as shall bee cast up on the Beach or Shore between y^e^ Bounds of y^e^ Towne of Seatalcott Eastward, & y^e^ utmost part of the Lymitts of Gravesend or Coney-Island Westward; And if any such Whale or Great ffish shall bee at any time found, that they give an Acco^t^ of and secure his Roy^ll^ Highness his Interest and part of them as in y^e^ Law is sett forth; And y^e^ said W^m^ Osborne & John Smyth shall bee solely employed herein for and dureing y^e^ space & Terme of [*blank*] yeares; They behaveing themselves therein according to y^e^ Trust reposed in them, And for what they shall lawfully Act or Doe in the Premisses, This shall bee to them a sufficient Warrant. Given under my Hand at Forte James in New Yorke this 2^d^ day of May in y^e^ 24^th^ yeare of his M^ā^^ties^ Reigne, Annoq^3^ D^n̄^i 1672.

[Francis Lovelace.]

1672 May 2

G. E. 4:159 (NYSL)

An Ord^r^ for Regulating y^e^ Abuse of selling Liquo^rs^ by y^e^ small Measure, us'd by some at Southton.

1672 July 4

Whereas Comp^l^t hath been made unto mee by Zorobabel Philips who for severall yeares hath kept an Ordinary or

House of Entertainm^t for Strang^rs in y^e Towne of Southampton in the East Rideing of Yorkshire upon Long Island, for y^e which hee hath a Licence from y^e Court of Sessions, & hath therein behaved himselfe conformable to the Lawes in that behalfe sett forth, That diverse of his Neighbours haveing noe Lycence or Toleracõn at all soe to doe, doe presume to sell Strong Liquo^rs by y^e small Measure contrary to the Lawes in such Cases provided; These are to require y^e Offic^rs of y^e said Towne of Southton, That they forewarne any such Person for y^e future to sell any Strong Liquo^rs otherwise then in y^e Law is allowed, under y^e penaltyes therein sett forth, to bee immediately Levyed upon y^e Breakers & Infringers thereof. Given under my Hand at Forte James in New Yorke this 4^th day of July 1672.

G. E. 4:159 (NYSL)

1672 July 4

[Francis Lovelace.]

Lycence granted to Zorobabell Philips of Southton to sell Liquo^rs to y^e Indyans.

G. E. 4:160 (NYSL)

Whereas Zorobabell Phillips of Southton in y^e East Rideing of Yorkshire upon Long-Island being engaged w^th some of his Neighbo^rs as a Sharer in y^e Whalefishing Designe, hath requested my Lycence that hee may bee permitted to sell some small quantity of Liquo^rs to such Indyans as may bee usefull unto them in carrying on of that worke, without whose help or Assistance therein, they finde it very difficult to goe on; These are to Certify all whom it doth or may concerne, That I have given Lycence to y^e said Zorobabel Philips to sell some small quantity of Liquo^rs to those Indyans that shall bee employed by him or Company in y^e said Designe for y^e space of one yeare after y^e Date hereof;

1672 July 4

G. E. 4:160 (NYSL)

1672 July 4

Provided it bee done w^th^ such Moderac̃on, that noe Abuse bee committed thereby, w^ch^ may occasion Disturbance amongst the Christians or Indyans, nor any just Cause of Complaint from the Neighbourhood. Given under my Hand at Forte James in New Yorke this 4^th^ day of July 1672.

[Francis Lovelace.]

G. E. 4:232 (NYSL)

[Licenses to sell Strong Drink to Indians.]

Novem: 20^th^ 1672.

1672 Nov. 20

Commission granted unto John Laughton & John Jennings to sell Liquo^rs^ to y^e^ Indyans in Southampton, & parts adjacent, both joynd in one Commission, running after y^e^ forme of that Commission granted to Jn^o^ Laughton in Anno 1669.

The like to Edward Petty for Southold.

The like also to W^m^ Perkins for East-Hampton.

Memorand^m^ That John Cooper may have Lycence to furnish his Indyans w^th^ a Gyll of Liquo^rs^ now & then as occasion shall require, placing it to y^e^ Acco^t^ of part paym^t^ of their Wages.

G. E. 4:233 (NYSL)

[Commission to Capt. John Howell.]

Eodem die–viz^t^ Novem: 20^mo^ 1672.

1672 Nov. 20

Commission granted, for Cap^t^ John Howell to bee Justice of peace of y^e^ East Riding of Yorkshire for one yeare longer

Liberty given to Jn° Cooper to employ some strange Indyans in y^e^ Whaling Designe. G. E. 4:235 (NYSL)

1672 Nov. 28

Vpon y^e^ Request of John Cooper, that hee may have Liberty to employ some strange Indyans in his Whaling Designe, if hee shall see occasion as well as those other Indyans belonging to the Towne, w^th^ whom hee hath already contracted, there appearing noe Inconvenience therein, I doe approve thereof notwithstanding the Townes Order to y^e^ contrary, provided others bee not debarred of the same Priveledge, if they shall see cause to make use thereof. Given under my Hand at ffort James in New Yorke this 28^th^ day of Novem: 1672.

[Francis Lovelace.]

A Confirmac̃on of an Ord^r^ made at y^e^ East end of Long Island about Whaling.[1] G. E. 4:236 (NYSL)

1672 Nov. 28

Whereas there was an Ord^r^ made at a Towne Meeting in Southampton upon y^e^ second day of May last relating to y^e^ Regulac̃on of the Whale fishing, & employm^t^ of the Indyans therein, wherein particularly it is menc̃oned, that whosoever shall hire an Indyan to goe a Whaling, shall not give him for his Hire above one Trucking Cloath Coat for each Whale hee & his Company shall kill, or halfe the Blubber without the Whalebone, under a penalty therein exprest; Vpon Considerac̃on had thereupon I have thought good to allow of y^e^ said Order, & doe hereby confirme the same untill some Inconvenience therein shall bee made appeare; And doe also Order that the like Rule bee follow'd

[1] There is also a copy of this confirmation, without material variation, in *New York Colonial Manuscripts*, vol. 22, p. 143, endorsed "John Coopers Papers 1676."

G. E. 4:236 (NYSL)

at East-Hampton, & other places, if they shall finde it practicable amongst them. Given &c: Novembr 28th 1672.

1672 Nov. 28

[Francis Lovelace.]

G. E. 4:265 (NYSL)

Licence for Jno Cooper to sell small quantityes of Liquors to the Indyans.

1672/3 Feb. 26

Whereas it was referred to some of ye Councell & ye Justices of the peace at the last Court of Assizes, to consider of some Orders, & Rules to bee observed as to the hiring or making use of Indyans in the Whaling Designe at the East end of the Island, & particularly as to John Cooper what proportion of Strong Liquors hee might bee permitted to allow his Indyans upon that Employmt, who thereupon represented unto mee, that it could bee noe prejudice, if hee did furnish any of them wth a Gill of Liquors now & then as occasion should require, placing it to the Acco: of their Wages, in part of paymt of the same, I doe very well approve of what was then represented concerning the same; of which the Justices of peace, & other Officers are to take notice, soe that the said Jno Cooper hath the afores: Priveledge, hee suffering noe Disorder to arise thereby amongst ye Indyans. Given &c: this 26th day of ffebruary 1672.

[Francis Lovelace.]

To all whom this may Concerne.

G. E. 4:281 (NYSL)

A Warrant to reinforce a Commission granted unto Wm Osborne & John Smith of Hempstead about Whaling.

1673 Apr. 24

Whereas I gave a Commission ye last yeare unto Wm Osborne & John Smith of Hempstead for a certaine time

G. E. 4:281 (NYSL)

1673 Apr. 24

to have the Charge & Care of looking after & securing all Drift Whales that should happen to bee cast on the South-parts of Long Island within the space in the said Commission limited, It being for the p^r^vention of Abuses that had often been practized, diverse persons finding such Drift Whales having cutt them up & kept all the Proffitt to themselves, deceiving his Royall Highness of his Dues, & at other times it being noe particular Persons Charge, such Drifts were neglected, soe both the Duke & Countrey had a Losse thereby; And being since given to understand that other Persons take upon them y^e^ said Charge of looking after Drift Whales, giving noe Acco^t^ of the same, nor taking Notice of my Commission; These are to require all Persons whom this may Concerne, That they bee Ayding & Assisting unto y^e^ said W^m^ Osborne & Jn^o^ Smith in prosecuting their Commission; And if any Person by Accident doe heare of or finde such Whales within y^e^ Lymitts in their Commission specifyed, That they give Notice to y^e^ said Persons thereof, who are obliged to take Care about it, soe that the Duke bee not deceived of his Dues; w^ch^ if every Person take it upon them may too frequently bee done; And for what y^e^ said W^m^ Osborne & John Smith shall lawfully Act & Doe in prosecution of their Commission for the time & Terme afores^d^ this shall bee to them sufficient Warrant. Given under my hand &c: Aprill y^e^ 24^th^ 1673.

Franc: Lovelace

To all Justices of y^e^ Peace, Constables, &
other Offic^rs^ to whom Applicac̃on shall
bee made upon this Acc^t^

No. XXX.

FLUSHING, HEMPSTEAD AND JAMAICA — PROTESTS ADJUDGED TO BE SCANDELOUS, ILLEGAL AND SEDITIOUS; BOUNDARIES.

Deeds 2:235 (Sec. State)

[Indian Deed to Jamaica.]

Recorded for the Towne of Jamaica, the 5th day of March 166$\frac{7}{8}$

1663/4 Mar. 19

Recorded 1667/8 Mar. 5

Know all men, whom it may any wayes concerne, That wee whose names are under written, being the true owners of a Tract of Land, lying on the North side of this Towne of Crawford, alias Jamaica, the said Tract of Land, being commonly called the Hills, I say being the true owners of the said Land, which is Bounded on the South side wth the Towne of Crawford aforesaid, on the East side with the mark't Trees, betwixt the Greate Plaines and the little Plaines, and so to rune North a Mile or more, over the Hills; The North Line or Bounds, to rune a Mile or more over the Hills, and so to rune west, or there abouts, till it meete with fflushing fresh Meadowes, and to run close to the South end of the said Meadowes, and to keepe his Course close to the South end of Mr Doughtyes Swampe, commonly so called, and from thence to rune to the head of fflushing Kills or Meadowes, at the head of fflushing River, which shall bee the west Bounds of the said Tract of Land, ruñing thence South to the Bounds of Crafford, by former Purchase; I say wee Subscribed do for our selves, our heires and Successors or any other that shall pretend Clayme there unto, fully

Sell and make over, unto the Inhabitants of the Towne of Crawford, all the Lands contained within the said Bounds, with all Priviledges and Appurtenances belonging there unto, for the Inhabitants of the Towne of Crawford above said, their Heires and Successors to hold, Possesse and Enjoy for ever; That this is our Act and Deed, wee testify by Subscribing our hands, this 19th of March 166¾

Deeds 2:235 (Sec. State)

1663/4 Mar. 19

Recorded 1667/8 Mar. 5

Subscribed before	Tackpowshe	X	his Marke.
Daniell Denton	Sawascung	X	his Marke.
Andrew Messenger	Sawase	X	her Marke.
his X Marke.	Wamitawpak	X	his Marke.
	Hecomeack	X	his Marke.
	Mahakik	X	his Marke.
	Wigkwam	X	his Marke.
	Tuckquince	X	his Marke.
	Rockance	X	his Marke.
	Aramohor	X	his Marke.
	Romosowe	X	his Marke.

At the Generall Meeting of the Deputyes of Long Island, held before the Governour at Hempsteed, March the 2d 1664.

Deeds 2:3 (Sec. State)

Flushing }
Hempsteed }

It is this day Ordered, That a Parcell of Lands shall bee sett out for the Towne of fflushing, beginning at the head of Mathew Garretsons Bay (which by computacõn is to bee interpreted, the middle of the Bay) and to runne South East about three Miles in Length, and in Breadth about two Miles; And that some Persons bee appointed by the

1664/5 Mar. 2

Deeds 2:3 (Sec. State) Townes of Hempsteed and fflushing, at the Charge of the said Towne of fflushing, within [*blank*] dayes after the date hereof, to view and sett forth the same; And within the space of [*blank*] dayes after such Lands shall bee so viewed and set forth; The said Towne of fflushing shall returne to the Towne of Hempsteed, an Answer of their Acceptance or refusall thereof.

1664/5 Mar. 2

The Towne off Flushing Accepted of the offer made them by their Neighbo[rs] the Towne of Hempsteed.

Deeds 2:4 (Sec. State)

At a Generall Meeting of the Deputyes of Long Island, held before the Governour at Hempsteed March the 2[d] 1664.

Flushing }
Jamaica }

1664/5 Mar. 2

It is this day Ordered, That a Lyne shall bee drawne to runn through the middle of the Hills in Controversie betweene the Townes of fflushing and Jamaica, East and West, parrallel with the Lyne of fflushing, which shall bee the Bounds of Each Towne; And in regard the Towne of Jamaica hath disburst to the Natives for their Interest, the Sum̃e of Thirty pounds for the Purchase of the said Hills, And it appearing not, that the Towne of fflushing hath paid any moneys, or given any Satisfaction to the Indyans for the same; The Towne of fflushing shall therefore pay or Satisfy, the one moyety of the said Purchase money, to the Towne of Jamaica, and so each place shall enjoy their respective proportions of the Hills aforesaid, divided by y[e] Lynes above mentioned, in Common or other wise, as to either of them shall seem good.

Deeds 2:5 (Sec. State)

At the Generall Meeting of the Deputyes of Long Island, held before the Governour at Hempsteed the 3d day of March 1664.

Jamaica }
Hempsteed }

1664/5 Mar. 3

Whereas the Towne of Jamaica, doth lay Claime to the little Plaines, which the Towne of Hempsteed alleadge to bee within their Pattent, Now in regard the said Towne of Jamaica, have for nine yeares past, enjoyed the said Plaines without molestacõn, and cannot subsist without them, Neither is it knowne whether they are within the Bounds of Hempsteed Pattent; It is this day Ordered, That the lyne of Hempsteed Bounds, being drawne from the head of Mathew Garretsons Bay (which is to say the Middle of the said Bay), to runn directly to the South Sea, what part of the said little Plaines, the said Lyne doth not comprehend, to bee within ye Bounds of Hempsteed, shall bee and remaine to the Towne of Jamaica, and if any part thereof shall bee within the Bounds of Hempsteed, in regard they are Sufficiently provided, and Jamaica hath great Necessity thereof, Upon Neighbourly and moderate Termes, the Towne of Jamaica shall likewise bee posses't thereof, by Sale or Assignmt from the Towne of Hempsteed.

Deeds 2:9 (Sec. State)

At the Generall Meeting of the Deputyes of Long Island held before the Governor at Hempsteed Marchꝭ 6: 1664

Jamaica.
New Towne.
fflatt Lands.
fflatt Bush.
Brookland.

1664/5 Mar. 6

It is this day Ordered, That the ffly Lands or Meadowes in controversy, betweene the severall Townes of Jamaica,

Deeds 2:9 (Sec. State) 1664/5 Mar. 6

New Towne, fflat Lands, fflattbush and Brookeland, shall be Surveyed, and two able men are to bee appointed out of each Towne to take a strict view, what Meadow Grounds they have respectively been supplyed with, for three yeares last past, and in case of non Agreement there upon amongst themselves, they shall Choose one Person to bee their Umpire, and what shall appeare to bee over and above the Proporc̃on of Meadow Grounds so made use of, in the time aforesaid, shall bee Alotted to those Townes who shall bee adjudged to have the greatest Number of Cattle, and the most need thereof.

Richard Nicolls.

Deeds 2:22 (Sec. State)

Mr Coutilleau to lay out the Bounds of Hempsteed, Jamaica &c.

1665 Apr. 11

Whereas at the late Generall Meeting at Hempsteed, after much debate, and mature deliberation thereupon, There issued forth severall Orders to determine the Bounds in difference betweene the Townes of Hempsteed and fflushing, Hempsteed and Jamaica, and fflushing and Jamaica; These are to Appoint and Authorize Jaques Coutilleau of New Utricht, and ye said Jaques Coutilleau is hereby Appointed, according to his best skill and knowledge, upon the last Tuesday of this instant Moneth, to Survey and lay out the Bounds and Limitts of the respective Townes, according to the directions in the said Orders expres't, And the Inhabitants of each Towne, are to bee thereby concluded, Given under my hand at ffort James in New Yorke this 11th day of Aprill 1665.

Richard Nicolls

Instructions for y^e^ Surveying of y^e^ South Meadowes on Long Island. Deeds 2:40 (Sec. State)

1666 June 2

In pursuance of the Order made at the Generall Assembly at Hempstead in March 1664, And to the end that an Exact Survey bee made of y^e^ South Meadowes, for the accom̃odac̃on of the five severall Townes therein concern'd, that no controversy may hereafter bee continued, I conceive these following Instructions necessary.

1^st^ That M^r^ James Hubbard, and Jaques Coutilleau, at y^e^ Charge of the five Townes, bee Employed to take an Exact Survey of the said Meadowes, in manner following.

2^dly^ That the Survey begin from the Bounds of Hempsteed Meadowes, taking them as they lye.

3^dly^ That by the Judgm^t^ of those who are p^r^sent, the goodnesse and the meanesse of the Meadowes bee concluded and put into writing, that a further judgment and computac̃on thereof, may bee made.

4^thly^ That the Meadowes bee Staked and Parcelled into Divisions of 20, of 30, and of 50 Acres, by which Proporc̃ons so laid out, the Bounds of the said Townes, may bee more Easily knowne & distinguis'ht.

5^thly^ That being upon the place, speciall notice bee taken in writing, what Meadowes ly most conveniently to Supply the necessityes of each Towne, with least trouble of passing the Creekes.

6^thly^ That a breviate bee taken, what proporc̃on of Meadowes, every Towne pretends unto, either by Purchase or Patent.

7^thly^ That in case the severall Persons appointed from the Townes, can upon the place, Agree to their severall Divisions, as they fall out upon y^e^ Survey, I shall bee contented to ratify the same, when 'tis brought in Writing before mee; but if they cannot Agree amongst themselves (w^ch^ I suspect) then follow all y^e^ 1^st^ Points of my Instruc̃ons,

Deeds 2:40 (Sec. State) and remitt y^e^ whole Survey, and your animadversions upon the Meadow, to my further directions; for y^e^ doing whereof, and y^e^ particulars herein contain'd this shall bee yo^r^ Warrant; Given under my hand in ffort James the 2^d^ day of June 1666.

1666 June 2

Rich^d^ Nicolls.

To M^r^ Mathias Nicolls
Secretary.

Deeds 2:42 (Sec. State)

A Letter written to M^r^ Denton,[1] and to y^e^ Constable & Overseers of Jamaica.

1666 June 5

I have rec̃d an Account from M^r^ Nicolls, of what past at yo^r^ Towne, in relac̃on to the intended Survey of the South Meadowes, And having this day taken a View of the Survey, heretofore made by M^r^ Jaques Coutilleau, of all the Meadowes from the fourth Kill, or Eastern part of Sellers Neck Westward to Stromme Kill, and also your Paper w^th^ the division of your Meadowes, into particular Lotts, whereof three onely of 50 Acres are laid out, upon Sellers Neck, I have thought fitt to Signify unto you, That I shall bee ready to Confirme unto your Towne, all the Meadowes as they are now laid out, from Hempsteed Bounds, to include the said 50 Acres on y^e^ West side of the Haw Trees, And to prevent any further Contests, that the remainder of the said Neck, shall here after bee and remaine to y^e^ use and accommodation of y^e^ Inhabitants of New-Towne and Brookland, To w^ch^ determinac̃on, your im̃ediate Answer and Consent is expected by this expresse, that matters of this nature, may no longer bee held in Suspence.

Your very Loving ffriend
Rich^d^ Nicolls.

New Yorke, James ffort,
the 5 day of June 1666.

[1] Daniel Denton.

The Declaration of y^e^ severall Justices of y^e^ Peace concerning y^e^ said Libells. C. A. 2:653 (NYSL)

Wee his Ma^ties^ Justices of y^e^ Peace w^th^in theise his R. H^ss^ his Territoryes & Dominions being assembled togeth^r^ according to y^e^ Lawes establish't at y^e^ Court of Sessions held at Gravesend for y^e^ west Ryding of Yorkshire upon Long Island y^e^ 21^th^ & 22^th^ days of Decemb^r^ 1670. being assisted by some of y^e^ Governo^rs^ Councell & likewise of o^r^ brethren of y^e^ North Ryding, having had y^e^ ꝑusall of Three papers p^r^sented at y^e^ Court of Sessions at Jamaica y^e^ weeke before from & in y^e^ name of y^e^ Townes of Flushing Hempsteed & Jamaica, Upon mature deliberation & consideration had thereupon, Wee haue unanimously concluded & adjudged, That y^e^ said Papers are in themselues false scandalous illegall & seditious tending onely to disafect all y^e^ peaceable & well meaning Subjects of his Ma^tie^ in theise in his R. H^ss^ his Territoryes & dominions, & do declare this to be our Sentiments & opinions, y^e^ w^ch^ we humbly represent to his Hono^r^ y^e^ Governo^r^ & his Councell to proceed upon it as they Conceive shall best tend to y^e^ Suppression of Such mischeifs as may Arise by y^e^ Impression of false Suggestions & Jealousyes in y^e^ myndes of peaceable & well meaning Subjects from their Just dutyes & obedience to y^e^ Laws w^th^in theise his R. H^ss^ his Territoryes & Dominions, And this we humbly p^r^sent attested und^r^ our hands. 1670 Dec. 21–22

An Ord^r^ for y^e^ Libells drawne up by y^e^ Townes of fflushing Hempsteed & Jamaica to be publiquely burnt. C. A. 2:651 (NYSL)

Whereas at y^e^ last Gen^rll^ Court of Assizes held at New Yorke, amongst many things there propounded & concluded on, It was thought requisite for y^e^ welfare & safety of theise 1670 Dec. 29

C. A. 2: 651 (NYSL)

1670 Dec. 29

his R. Hss his Territoryes & Dominions, that ye ffort wthin this Citty, being fallen to ruin by reason of ye decay of ye Pallisadoes should be taken into consideration & repaired, And that ye Justices of ye Peace at their next Courts of Sessions should consult & conclude of ye ways & meanes whereby that worke should be put into Execution, to ye ease & satisfaction of ye Inhabitants, who then were to be acquainted wth what was then determined to be ye most Equitable way. But so it is that three Townes undr his R. Hss his Dominions That is to say fflushing Hempsteed & Jamaica, having called each of them a Towne meeting before ye matter was recomended to them from their respective Justices of ye Peace undr whose Rydings they apperteyne & having at their said Towne meetings drawne up seuerall papers, ye wch they prsented to ye Justices of ye peace at ye Court of Sessions held at Jamaica, who ꝑusing ye Said papers they appeared in themselues so false scandalous & seditious that it was thought requisite to recomend ye consideration of ye said papers & libell to ye next Cort of Sessions to be held at Gravesend, To ye end that all or most parte of ye Justices being there mett might take ye meritt of those Scandalous Papers into their Considerations, wch being accordingly ꝑfourmed, Upon mature deliberation & consideration had thereupon they did unanimously conclude & adjudge that ye said papers were in themselues Scandalous illegall & seditious tending onely to dissafect all ye peaceable & well meaning Subjects of his Matie in theise his Royall Hss his Territoryes & Dominions & thereupon declared, That this their resolution should be so prsented to ye Governor & his Councell to proceed upon it, as they should conceive would best tend to ye Suppression of such mischeifs as might arise by ye Impression of false suggestions & Jealousyes in ye myndes of peaceable & well meaning Subjects, from their duityes & obedience to ye Laws wthin theise his R. Hss his

Territoryes & Dominions Now ye Governor & Councell hauing taken ye whole matter of fact into their serious Considerations, They do agree that what ye Justices haue declared at their meeting in ye Court of Sessions held at Gravesend ye 21th & 22th days of this instant month, And do adjudg that ye said Originall papers contrived & deliuered from ye severall Townes aforementioned of fflushing Hempsteed & Jamaica to be both Scandalous illegall & seditious, & yt ye said Originall papers be openly & publiquely burned before ye Towne house of this Citty at ye next Mayors Court to be held there, & yt ye principall contrivers thereof be inquired into & proceeded agt according to their demeritts, & ye Lawes of ye Land Establish't, And that ye Mayor of ye Citty be desired to publish this Proclamation & see ye contents thereof put in Execution. Given undr my hand & sealed wth ye Seale of ye Colony this 29th day of Decembr 1670. C. A. 2:651 (NYSL) 1670 Dec. 29

F. L.

Copy of ye originall.

No. XXXI.

STATEN ISLAND — LOTS LAID OUT FOR SOLDIERS.

Mr Jaques Cortilleau ordered and appointed for ye Convenient laying out 40. Lotts, for ye settling 2. Towneships on Staten Island. C. A. 2:610 (NYSL)

Whereas it is Resolved upon that Two Townships shall be setled upon Staten Island of 40. Familyes each. You are 1670 Oct. 24

C. A. 2: 610 (NYSL)

hereby ordered & appointed forthwth to repaire to y^{e} said Island, & first of all to take a view where 18. Lotts more may be added to y^{e} 22. already laid out, or so many as shall compleate y^{e} said number of 40. & that it be so Contrived that y^{e} Lotts be not laid out stragling but neare one anoth^{r}, w^{ch} when yo^{u} shall haue done, that yo^{u} goe to y^{e} great Kill, & pitch upon y^{e} most convenient place for a Towne there of y^{e} like numb^{r} of 40. Familyes, & having made an Exact Calculation thereof, that yo^{u} bring an Account thereof unto me by Monday morning next, & for so doing this shall be yo^{r} warrant. Given und^{r} my hand this 24th day of Octob^{r} 1670.

1670 Oct. 24

[Francis Lovelace.]

To Capt^{n} Jaques
Cortijleau Surveyo^{r} Gen^{rll}

C. A. 2: 614 (NYSL)

An Ord^{r} for y^{e} Assisting & ayding of M^{r} Jaques Cortelijau in y^{e} laying out y^{e} Land upon Staten Island.

1670 Nov. 17

Whereas I haue Imployed & Impowred Capt^{n} Jaques Cortelijau to be Surveyo^{r} Gen^{rll} & to lay out y^{e} Lotts & other Lands upon Staten Island, according to y^{e} Instructions he shall from tyme to tyme Receive from me. These are to require yo^{u} to be ayding & Assisting unto him, & to furnish him wth what necessaryes, he shall haue Occasion of & for so doeing this shall be yo^{r} warrant. Given und^{r} my hand at ffort James in New Yorke this 17th Day of November 1670.

[Francis Lovelace.]

To y^{e} Officers or any others
whome this may concerne
on Staten Island.

An Ordr from ye Governor to Capt Jaques Courtelija [*sic*], for the laying out ye Lotts on Staten Island. C. A. 2:665 (NYSL)

1671 Mar. 28

These are to require you that forthwth upon sight hereof you repaire over to Staten Island, and according to Instructions formerly given, that you lay out the severall Lotts of Land to compleat ye present Towne there to ye Number of 41 Lotts; & also what hath been agreed upon for ye New Towne. And that the same may be the sooner expedited, I have herewith sent to yor Assistance Serjeant Dowdall & Corporall Comely; At whose returne after you shall have compleated this Affaire, I expect from you a plaine Draught of ye 2 Townes; and an Acct of your particular proceedings herein. Given under my Hand at Forte James in New Yorke this 28th day of March. 1671.

[Francis Lovelace.]

To Captn Jaques Courtelija [*sic*]
Surveyour Genll

Order to Captn Jaques Cortilleau for laying out ye Souldiers Lotts on Staten Island C. A. 2:712 (NYSL)

1671 June 14

These are to Authorize & Require you forth-with to lay out of ye Meadow-Ground at ye Great Kill upon Staten Island ffive Mergan or ten Acres a piece of Land as proportionably & conveniently as you can for each Lott both at ye Old Towne & ye New Plantacon next unto it, & likewise yt you give mee Acct of ye Overplus, out of wch for this prsent yeare I may pleasure those that have larger Stocks

C. A. 2: 712 (NYSL)

1671 June 14

w^th a greater proporc̃on for their Supply; And for what you shall doe herein this shall be yo^r Warr^t. Given under my Hand at fforte James in N: Yorke. June y^e 14^th. 1671.

[Francis Lovelace.]

I would have yo^u to ascertaine y^e 5 Morgan to y^e new Lotts first beginning at this side of y^e great Kill, & where y^e Meadow proves insufficient to make it up in a greater quantity.

G. E. 4:98 (NYSL)

A Proclamac̃on about y^e Lotts granted on Staten-Island, enjoyning those persons who have promises of Land there, to bring in their Names to the Secretaryes Office, and w^thin a certaine time to fence in y^e same.

1671/2 Jan. 25

Whereas Applicac̃on hath been made unto mee by diverse Persons since my Resoluc̃on of y^e Settlem^t of y^e New Townes & Plantac̃ons upon Staten-Island, That they may bee Admitted to have Lotts there, for y^e w^ch severall of them have my Graunts, Upon Condic̃on they shall improve & build thereupon; To y^e End the same may bee accomplisht, according to y^e Intent of y^e said Grants, I have by & w^th y^e Advice of my Councell Thought fitt to Order, Publish, & Declare That the Names of all those that have Graunts of New Lotts of Land upon Staten Island shall bee brought in to y^e Secretaryes Office at y^e fforte, & haveing by my Order their respective Lotts of Land assigned unto them as they are laid out by y^e Surveyo^r Gen̄^ll (w^th my Patents for their Confirmac̃on,) Time shall bee given them untill y^e first day of May next for y^e ffencing in their Home-Lotts as y^e

Beginning of their Settlem[t]. But whosoever shall refuse or neglect to doe y[e] same w[th]in y[e] time p[r]fixt, their Graunts & Patents shall bee judged void & invalid, & their Lotts reverst to y[e] Governo[rs] Disposall as hee shall thinke fitt. Of y[e] Publicac̃on of this Order & Proclamac̃on all Persons concerned are to take Notice, that they may bee left w[th]out Excuse. Given under my Hand &c: this 25[th] day of Jan[ry]. 1671. G. E. 4:98 (NYSL) 1671/2 Jan. 25

[Francis Lovelace.]

No. XXXII.

NEWTOWN — ESTATE OF JOHN COCKRAM SOLD FOR DEBT.

An order to expose John Cockrams Estate to sale. O. W. L. 2:395 (NYSL)

Whereas John Cockram late of New Towne in y[e] West-Riding upon Long Island, hath absented him selfe from his habitac̃on and usuall place of abode, having not taken any care to discharge his Debts. And there being a Summe of Money due from him to the Publick, which hee collected, as hee was Constable, as also divers other debts and Engagem[ts] upon his Estate. For the better Securing of each persons Intherest[*sic*]. I doe hereby authorize and appoynt the present Constable M[r] Francis Doughty and Overseers, to expose to Sale the Estate of y[e] Said John Cockram lyeing within their Towne and precincts to y[e] best advantage and after 1669 Apr. 19

O. W. L. 2:395 (NYSL)

1669 Apr. 19

having deducted the publick debt aforemenc̃oned to Secure the remainder untill the next Court of Sessions who are to adiudge how the residue of y^e^ Debts Shall be paid, following the directions in the Law Sett forth. Given under my hand att Fort James in New Yorke this 19^th^ day of Aprill in y^e^ 21^th^ yeare of his Ma^ties^ Raigne Annoq̃ Domini 1669.[1]

[Francis Lovelace.]

C. A. 2:523 (NYSL)

A Protection Graunted to John Cockram of New Towne.

1670 May 6

Whereas John Cockram late of New Towne upon Long Island hath absented himselfe out of this Governm^t^ upon y^e^ Account of severall Debts he had Contracted for y^e^ payment whereof his Estate was ordered to be sould but as yett nothing hath beene effectually done therein whereby y^e^ Creditors are still unsatisfyed & his Estate goes to decay, upon y^e^ Petition & request of Elizabeth his wife that he may be admitted freely to retorne to y^e^ place of his former abode shee proposing that in person he can bett^r^ pay or compound for his said debts then can by any oth^r^ way be effected, I haue for y^e^ reasons aforesaid thought fitt to give him my protection from any wrytts warrants arreasts or Execuc̃on he

[1] Francis Doughty, under this order, sold at public sale "a certaine farme there [Newtown], belonging to John Cockram to make payment of his Debts to his Creditors." Doughty himself secured it as the highest bidder, but became dissatisfied with his bargain and petitioned the next general court of assizes, in November, 1669, for a release, on account of uncertainty in the stipulations of purchase price and manner of payment. The court granted his request and ordered the re-sale of the farm, on December 1st, following, and that Doughty "do use his best skill & endeavour in promoting y^e^ Sale thereof to y^e^ best advantage of both Creditors & Owner, & also give notice to y^e^ Severall Townes, of y^e^ tyme appointed for y^e^ said Sale."—*Court of Assizes*, vol. 2, pp. 209, 220, 224.

lyes lyable to for any debt or Trespasse he is lyable to so that he may safely & freely retorne home & take such Course as is proposed w^ch^ protection shall continue firme & so longe as I shall fynde he prosecutes y^e^ same to his utmost power Given und^r^ my hand & seale at ffort James in New Yorke this 6^th^ day of May 1670. C. A. 2: 523 (NYSL) 1670 May 6

[Francis Lovelace.]

To all Officers or whome else
this may concerne.

M^r^ Elias Doughty ordered to be put into possession of y^e^ house & Land belonging to John Cockram. C. A. 2: 657 (NYSL)

Whereas there was an Ord^r^ of Councell bearing date y^e^ 24^th^ day of February last, wherein it is Exprest, that M^r^ Charles Bridges and Sarah his wife are to be invested & to haue possession of y^e^ Estate late belonging to John Cockram of New Towne als Middleborough lyeing & being in that Towne, And it appearing that they haue made over & conveyed their Right & interest unto M^r^ Elias Doughty upon Considerations agreed upon betweene them, These are therefore to Authorize & require yo^u^ to put y^e^ said M^r^ Doughty into possession of y^e^ house land and appurtenances lately belonging to y^e^ aforementioned John Cockram, any oth^r^ Clayme or p^r^tences thereunto notw^th^standing, & for so doeing this shall be your warrant. Given und^r^ my hand this 9^th^ Day of March 1670. 1670/1 Mar. 9

[Francis Lovelace.]

To y^e^ Constable of New Towne
als Midleborough.

No. XXXIII.

HEMPSTEAD — COUNTRY RATES AND CAPTAIN JOHN SEAMAN.

C. A. 2:519 (NYSL)

An Ordr for ye suspending of ye Country Rates of C. John Seaman: of Hempsteed.

1670 May 5

Vpon the Request of Captn John Seaman of Hempsteed that he may be suspended ye paymt of his Country Rate untill Slaughtr tyme he alleadging not to be provided wth Corne to giue present satisfaction, I have thought good to accept of his proposall, provided he make payment thereof in good Porke this next Season to Mr Bedlow whose receipt given him thereupon shall be his discharge, In ye meane tyme ye Constable of that Towne is to take notice hereof ye wch shall be allowed him in his Account. Given undr my hand at Fort James in New Yorke ye 5th day of May 1670.

[Francis Lovelace.]

No. XXXIV.

STATEN ISLAND — ESTIENNE GAIGNEAU *vs* JACQUES GUYON, ATTORNEY FOR JEAN COLLYN, ABOUT LAND.

C. A. 2:560 (NYSL)

Liberty Graunted to Jaques Guyon to remaine for one yeare in ye place where he now is.

1670 July 4

Whereas Jaques Guyon hath requested of me that he may haue leaue to mowe some Grasse in the meadows neare

C. A. 2:560 (NYSL)

1670 July 4

him where for y^e^ p^r^sent he is seated for his winter provision of Hay for his Cattle, These are to Certifye all whome it may Concerne that I haue giuen him leaue as yett to Continue in y^e^ place where he hath begun a Plantation & do graunt him priuiledge to cutt his Hay where he desires, untill his proportion of Land shall be more certainly layd out to him, Provided he giue no disturbance in y^e^ meane tyme to his neighbours of y^e^ Towne who are hereby likewise required not to molest him in y^e^ Enjoym^t^ of y^e^ p^r^misses, Given und^r^ my hand at ffort James in New Yorke this 4^th^ Day of July 1670.

[Francis Lovelace.]

C. A. 2:655 (NYSL)

Jaques Cortelijau & Peter Bilieu & [Layten Walrane] to determyn y^e^ businesse betweene Estienne Gaigneau & Jaques Guyon.

1670/1 Mar. 4

Whereas there is a matter in difference depending betweene Estienne Gaigneau late of Staten Island on y^e^ one parte, & Jaques Guyon now residing there as Attorney of Jean Collyn on y^e^ oth^r^ parte for & concerning y^e^ Interest that each of them p^r^tends to haue upon a certaine Lott of ground upon y^e^ Said Island & y^e^ Rents or profitts thereof, These are to authorize & appoint yo^u^ Capt^n^ Jaques Cortelijau, Peter Bilieu & Layten Walrane to heare & Examyne into y^e^ Said matter & to render me as Soone as Conveniently you can an Account thereof und^r^ yo^ur^ hands, togeth^r^ w^th^ yo^r^ Judgm^t^ thereupon that I may make a finall determination thereof according to Justice & good Conscience Given und^r^ my hand at ffort James in New Yorke this 4^th^ Day of March 1670.

[Francis Lovelace.]

No. XXXV.

DELAWARE — DISTRESSED CONDITION, INDIAN OUTRAGES AND THREATENED INDIAN WAR, DEFENSE AND NEW SETTLERS.

C. A. 2:578 (NYSL)

The Governors Łre to Captn Carr

Sr

1670 Aug. 24

Yor Łre of ye 22th instant togethr wth ye ill news arived my hands, & as I cannot but expresse a great sadnesse for ye misfortune those poore people haue suffered undr, so I cannot Acquitt ye magistrates of New Castle of too much remissonesse & security in relation to ye Indians perticulerly in not avenging ye last murther comitted on Mr Tom's servants the Omission of wch may be a great inducemt to ye Indians to perpetrate this villany they haue thus lately Acted into wch I would haue you make a narrow & zealous discovery, I do well approue of your retorne to yor Charge, & though I cannot giue you a perticuler instruction how to comport yor selfe in that affaire to wch I am altogethr in ye darke yett thus farre in Genrll may serve for yor directions.

ffirst that you strengthen yor selfe in yor Garrison both to ye reperations (in some sorte) of ye decayed works, & likewise to ye recruite of yor men.

Next that you mustr ye Burgers disposing them in such ordr to their watches as may secure them from any surprises.

Lastly that you Sumon ye Comrs & wth them consult ye best way to discover ye Assasines & then to proceed to a demaund or forcing ye Indians to deliuer up ye partyes that so they may be brought to Condigne punishmt

I haue onely this to add that you be carefull on all occasions to giue me advertisemt of yor proceedings & how ye

complexion of Affaires stand w^th^ yo^u^ that so I may apply a tymely assistance if need require, & so I comend yo^r^ to y^e^ protection of Almighty God & asure yo^u^ that I am

Yo^r^ Loving freind

ffort James 24^th^ August 1670. F. L.

C. A. 2:578 (NYSL)

1670 Aug. 24

I haue satisfyed y^e^ messeng^r^ according to yo^r^ desire Now y^e^ harvest & oth^r^ publique work is done y^e^ Peasant will be at Leasure to assist yo^u^ w^th^ workmen to repaire y^e^ ffort

My service to all w^th^ yo^u^

[Propositions from Carr and others about Fortifications at Delaware.]

Col. MSS. 20:11 (NYSL) Dutch

1670 Oct. 5

Op d. propositie van d^e^ H: Capt: Caar aen d. Heren Hooge Raden, dat een bequame plaets haer in Niu Castel mach uijt gesien werde, om eenige fortificatie tot deffentie in tijt van noot te hebbe. Als meede dat bouen Christina Kil oock een bequame plaets mach uijt gesocht werde, om in tijt van noot tot een toevlucht, om haer vast te macken ẽ deffenderen/

Op welcke propotie is geantwoort ẽ resolueert

1: Dat de bequamste plaets in Niu Castel, wert geacht op d. Marckt daer de

Translation:

On the proposition of the Hon. Capt. Carr to the Hon. High Council that a suitable place may be selected in New Castle where the people can have some fortification to defend themselves in time of need; and also, that above Christina Kil another suitable place may be chosen, to serve in time of need as a refuge, where the people can fortify and defend themselves/

On which propositions it was answered and resolved:

1: That the most suitable place in New Castle for a place of defense [consisting]

Col. MSS. 20: 11 (NYSL) Dutch

1670 Oct. 5

klock hangt, om den diffentiue plaets te macken van block huijssen, in alsulcke formen te ordonneren als bequamst sal geacht werde; mits dat H: Capt: Caar de gront daer toe vereijschende euiglick sal quiteren, sonder eenige act[ie] daer meer aen te behouden. Belangende de bekostinge ẽ arbeit van de vorseijde vastigheit, ẽ Block Huijssen, Sullen voor eerst de borgers van Niu Castel Jder naer sijn qualiteit ẽ Staet in verschot wessen van penningen, om de arbeits luijden te betallen, mits dat de inwonders in deese Jurisdictie bequam tot alsulcke arbeit, sullen gehouden wessen te arbeijden, naer gelegentheit van Sacke/

2: Belangende d. fortificatie bouen, wert gelatten in discretie van d. H: bouen, om op d. bequaemste plaets of plaetsen, tot haer deffentie te ordonneren/

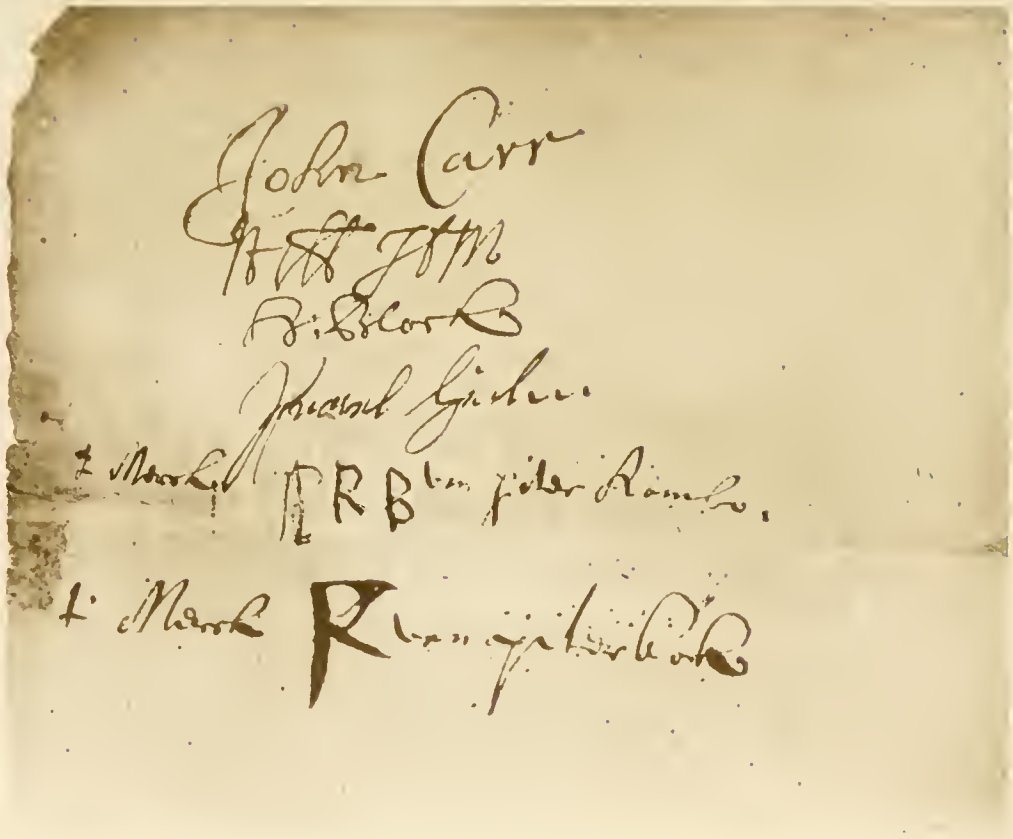
3 dock alles mit desse insichten het tot gheen orloge Comt mit de Natturellen, twelck godt verhoet, de vor-

of block-houses is thought to be the market-place, where the bell hangs, and that order be given to build them there of such design as shall seem most suitable, provided that the Hon. Capt. Carr shall grant forever the ground required therefor, without retaining any claim to the same. As to the charge and labor for the aforesaid fortification and block-houses, the citizens of New Castle, each according to his means and condition, shall at first advance the money to pay the laborers, provided that the inhabitants within this jurisdiction, who are able to do such work, shall be obliged to work as occasion may require.

2: As to the fortification above [Christina Kil], it is left to the discretion of their honors there to order [that buildings] for their defense [be constructed] at the most suitable place or places.

3 All, however, with this understanding, that if no war breaks out with the natives,

Opposite p. 498.



AUTOGRAPHS OF CAPTAIN JOHN CARR
AND OTHER LEADING MEN AT THE DELAWARE.

(Original Size.)

seijde block huijssen sullen gebruickt werde vor puplicke huijssen als raet huijs, gevangen huijsen, als anders nodich vor publick, mits t' dan tot t'gennerael ẽ publicke reckenning ẽ onkosten ouer t'heele reuier sal gebracht werde/

4: desse resolutie tot gheen Executie te bringen, sonder ordere van d. H: gennerael, te hebben, mar wel Sekretelick nodiche preparatie te macken, Sonder eenige suspitie te geven aen d. natturellẽ:

Aldus gedaen ẽ gearresteert dessen 5 octob̃: 1670:

John Carr
Will Tom
H: Block
Israel Helm

t Merck X van Piter Rombo
t'Merck X van Piter Kock

which God forbid, the aforesaid block-houses shall be used as public buildings, such as court-house, prisons, or otherwise as necessary for public [purposes], provided that in that case [their erection] shall be charged to the general and public expense account of the entire river. Col. MSS. 20: 11 (NYSL) Dutch 1670 Oct. 5

4: This resolution shall not be carried into effect without order from the Hon. General, but the necessary preparations are to be made secretly, without arousing any suspicion among the natives.

Thus done and resolved, this 5th of October 1670:

John Carr
Will Tom
H: Block
Israel Helm

the mark X of Pieter Rombo
the mark X of Pieter Kock

Endorsed: Proposic̃ons made about the fortificac̃ons at Delaware, vnder the hand of C. Carre & the rest of the high Co^{rt} there. 1670. The order off the High Court.

[Examination of Indians about Depredations at Delaware.] Col. MSS. 20: 14 (NYSL) Dutch 1670 Oct. 6

present de sackimakers
Rinna Wiggẽ

Translation:
Sachems present:
Rinna Wiggen

Col. MSS. 20: 14 (NYSL) Dutch

1670 Oct. 6

Oebequeme
Menninckta
Oijagrakun
Quequirimẽ
Megeras
Pemenackẽ
Colopapan
Magaecksie
[Be ?]rensies
Mannanengẽ

Op vrijdach sijnde den 23e septemb̃ sijn wij te weten marten roseman Edman kantwel, en pieter Cock, pieter rambo Israel Helm, en Matheus de Ringh Clercq. gekomẽ alsoo wij alle vañ E Heeren vande gerechte daer toe ẏsocht waerẽ, Op een wilde plaetse off plantagie genaemt Annockeninck, alwaer een deel wildẽ vergaert waerẽ en noch vergaerden om te kintekaijen met eenige sackimakers, wiens naemen hier neuens staen, naer dat wij daer 3 a 4 daegen nae het vergaerẽ vañ rest vande sackimakers en andere wilden gewacht haddẽ, de welcke niet al gecomen sijn, soo hebben wij haer onse saecken voorgedraegen en gevraecht.

Oebequeme
Menninckta
Oyagrakun
Quequirimen
Megeras
Pemenacken
Colopapan
Magaecksie
[Be ?]rensies
Mannanengen

On Friday, being the 23d of September, we, Marten Roseman, Edman Kantwel, Pieter Cock, Pieter Rambo, Israel Helm and Matheus de Ringh, clerk, at the request of the honorable gentleman of the Court, came to an Indian village or plantation called Annockeninck, where a number of Indians had gathered and were still gathering, in order to kantikoy with some sachems whose names are written in the margin. After we had waited three or four days for the arrival of the rest of the sachems and other Indians, who did not all come, we stated our business and inquired:

Vuijt wat oorsaeck datse van ons volck hebben doot-geslagē en vermoort en hebben haer vorders geseijt en genoemt aldie geene die sij vermoort hebben, van die tijt aff dat de Engelsē hier int lant syn gecomen tot nu toe, de welcke [ti ?]en jnt getal sijnde, met noch veel omstandige rede[nen te lan]gh om te verhaelē,

[*Mutilated*] hebben geantwoort dat sij geen van allen [*mutilated*] wistē, te weten van Kahonsij aff tot aende [*mutilated*] toe, waer op sij voort een Cleijn bosie wit seewant ontrent 3 a 4 vadem aen ons getoont en gegeuē Op die Conditie dat wij soo lange soude patientie hebbē sij souden de moordenaers soeckē, en opbrengē, soo wanneer sij die konden vinden, en s[oo] hebben noch een bosie wit seewan gegeuē, met dese woordē daer bij voegende als dat sij geen Oorloch en sochtē, en datse mochtē uyt jagē gaē en op en neer bijde Christenen handelē gelijck als vante vooren

For what reason they had killed and murdered some of our people, and [we] furthermore told them and named all those whom they had murdered from the time that the English came to this region until the present, who number ten [?] in all, with many other details too long to relate.

Col. MSS. 20:14 (NYSL) Dutch

1670 Oct. 6

[They] replied that they did not know of any of them, . . . that is from Kahonsij to . . . , whereupon they showed and gave us a small string of white seawant, about three or four fathoms long, on condition that we should have patience till they sought and delivered up the murderers, if they could find them, and then they gave us another string of white seawant, adding these words: that they did not seek war, and that they wished to be allowed to go hunting and trade among the Christians as formerly, and to the Mincquas, that is the South Mincquas, whom we

Col. MSS. 20: 14 (NYSL) Dutch

1670 Oct. 6

en hebben oock aende mincquaesẽ te weten S — mincquasẽ gesijt, die wij mede bij ons haddẽ, dat sij geen meer vande Christenen souden dootslaen, waer op sij oock aende mincquasen een schenckasie hebben gegeuẽ, te weten een bant seewant met een bosie wit seewan, nae dat de mincquaesen eerst aen haer eerst een schenckagie haddẽ gegeuen, en hebben een heele oratie gedaen, als dat wij broers waeren met maelcanderẽ en datse broers en vriendẽ sochten te blijuen, en dat sij bedroeft waeren dat sij sulcx gedaen hadden, en datse moestẽ weten datse rondom onder de Christenẽ saetẽ, en wesen haer daer woonen Christenẽ, en daer woonẽ Christenẽ

als datse haer bekent maecktẽ; dat sij rondom onder de Christenen woondẽ, en als sij oorloochdẽ waer dat sij dan haer kruijt en loot souden vandaen krijgẽ met veel diergelijcke dingẽ meer die sij aen haer seijden

Wij hebben haer wederom

had also with us; they said that they should not kill any more of the Christians,whereupon they gave also a present to the Mincquas, to wit, a belt of wampum with a string of white seawant, after that the Mincquas had first given them a present, and made quite a speech, to the effect that we were brothers of one another, and that they sought to remain brothers and friends, and that they were sorry that they had done so, and that they must know that they were surrounded by Christians, and showed them here live Christians and there live Christians; declaring to them that as they were surrounded by Christians, if they went to war, where would they then get powder and ball, and many other similar things which they said to them.

We answered them, when

Col. MSS. 20: 14 (NYSL) Dutch

1670 Oct. 6

geantwoort, en geseijt, toen wij dit gelt off seewant ontfingē, dat wij dit ontfingē niet tot versoeninge vande moort die sij gedaen hebben, maer dat wij het alleen ontfingē bij provisie tot een getuijgen als dat sij de moordenaers souden soecken en opbrengē Want onse groote sackimaker seijden wij die en was [met] geen gelt te vreden, maer die wil hebben dat gij de moor[ders] opbrenght. Wij seijden oock dat wij ons verwonderd [en] dat niet een van al de sackimakers off vañ wildē en w[ist] wie dat de moort gedaen haddē en hebben haer self[fs de] moorders genaemt die wij meenden de moor[t gedaen] te hebben, dewelcke waeren met naemen Al[*mutilated*] kecksioes, en de broeder [van]Wissapoes

Waer op sij antwoorden [*mutilated*] hadden, en dat sij tselue [*mutilated*] dien nacht doen de moort g[edaen] [*mutilated*] allomgack in assiskon[ck] [*mutilated*] [ke]cksioes was bij de sackimakers we accepted this money or seawant, and said that we did not accept it as an expiation of the murder which they had committed, but that we accepted it only provisionally as a pledge that they would seek and deliver up the murderers, for our great sachem, we said, was not satisfied with money, but wants you to turn over the murderers. We said also that we were surprised that not one of all the sachems or the Indians knew who had committed the murder, and we ourselves named those who we thought had committed the murder, namely, Al[lomgack,] Kecksioes, and the brother of Wissapoes.

Whereupon they replied . . . had . . . and that they the same . . . the night that the murder took place . . . Allomgack in Assiskon[ck] . . . [and] Kecksioes was at home with the sachems, and the brother of Wissapoes was at the house of the brother of the "crazy farmer," and fur-

Col. MSS. 20: 14 (NYSL) Dutch

1670 Oct. 6

thuijs en de broer van wissapo[es] die was thuijs bij de maleboer sijn broer, en voort dat wij souden te vreden wesen dat sij souden soecken die het gedaen hadt.

Wij hebben haer oock gevraecht waerom dat sij het goet van pieter siegee, en van pieter Alrichs gestolẽ en gerooft haddẽ

Waer op sij Antwoorden en seijden dat sij dat niet gedaen en hadden, noch oock niet van en wisten, maer dat het de wilden van Assisconck gedaẽ haddẽ, en dat sij selffs haer daer van bevrijden

Dit is tgene wij met de Wilde jndiaenẽ hebbẽ gehandelt.

Was onderṽz

Matheus de Ring
Clercq

Naer collatie accordeert dese met syne principale in dato en onderṽz als bouẽ

Tot N: jorck den 6e October 1670

Bij mij
D V Schelluijne Noṽs Publ
1670

ther that we should be content that they would search for those who had done it.

We asked them also why they had stolen and robbed the goods of Pieter Sieger and Pieter Alrichs.

Whereupon they answered and said that they had not done it, neither knew anything about it, but that the Indians of Assisconck had done it, and that they themselves had freed them from those Indians.

This is what we treated about with the savage Indians.

Was signed
Matheus de Ring
Clerk

Upon comparison this is found to agree with the original, dated and signed as above.

At New York, this 6th of October 1670,

By me,
D. V. Schelluijne,
Notary Public
1670.

Endorsed:
the Examin[acõn of the]
Jndyans concerning [the]
Murder.
Oct^r 6. 1670.

Col. MSS. 20:14 (NYSL) Dutch

1670 Oct. 6

[Tom to Lovelace about Newcastle.]

Col. MSS. 20:19–20 (NYSL)

[1670/1]

To the Right Hono^ble

1 here in a Towne erected w^ch is the sthrength for the river

2 it has beene studyed by o^r neighbors of Mary land to doe the same but could not attayne

3 if o^r neighbors are so desirous then necessary

4 if good then incougament [*sic*]

5 the way to incourage is that noe slopes passe aboue this Towne to handle w^th the inh̃itants

1 for what before was vsed to be brought here is delivered aboue and w^t debts is due to vs cannot be receaved for that they come not below

2 then vpon necessity the place must be forsaken and noe man left to make resistance ag^t the Indians having noe profitt and must another stay [?] way out of the land w^ch will breake the Towne and if so every man must stand vpon his owne guard single w^thout any assistance w^ch if the Towne had any incourage^t was able to defend the whole river or at least themselves but the sloopes going vp and selling drinke by the small measeaure and receiving there ready paym^t and w^th furnishing w^th there petty wares by there doores getts themselves an advantage to o^r ruine w^ch if permitted every man may doe the like and then his Roy highnes may w^th cost make another Towne of defence as o^r neighbo^rs have indavrerded [*sic*] but could not attayne to

Col. MSS. 20: 19–20 (NYSL)

[1670/1]

Endorsed:

some Propositions on the behalfe of the Towne of Newcastle in Delaware from Mr Tom. 1670.

Enclosure:

Im [1] to know by what tenure wee hold or land not being expressed in or patents

Answer:

In comon Soccage as the Duke held his, as of the manñ [2] of East Greenewch

Endorsed:

A quere of mr Tom's to be resolv'd concerning the Tenure of land at Delaware

C. A. 2: 662 (NYSL)

The Governors Łre to ye Inhabitants of Delaware.

Gentlemen.

1670/1 Feb. 29

I Recd yor Łre by Mr Rombout wherein you signifye to me ye Result you had wth ye Indians, concerning ye Murders of ye Xpians, in wch you haue provided wth moderation sufficient, as far as both yor intelligence & ye Complexion of all affaires then stood, I haue forborne at this prsent to send you a full determination Reserving that till ye Arivall of Captn Carre from whome I expect to receive more light then

[1] Abbreviation for "Item."

[2] Manor.

hitherto I haue receiued to guide me by, In y^e^ meane tyme I recomend y^e^ affaire to your Vigilant & prudent Managery, In w^ch^ I cannot omitt to mynde yo^u^ that not onely your owne safetyes but y^e^ hono^r^ of my Regall Master & our Nation is so nearely Concerned in y^e^ Recom̃ending yo^u^ to y^e^ protection of y^e^ Almighty, I remaine yo^r^ Loving freind

C. A. 2:662 (NYSL)

1670/1 Feb. 29

F. L.

Sent by Peter Rombout of Delaware
29^th^ Feb^ry^ 1670.

[Tom and Alrichs to Lovelace.]

Col. MSS. 20:9 (NYSL)

9^th^ of March 1670 [*i. e.* 1671]

Right Hono^ble^

yo^rs^ of the 28 of ffebruary wee have receav[ed] and to give yo^r^ hono^r^ a full answer is more th[en] wee can doe being not all one mens children and for vs few English none of vs able to speake to the Indians but so farre as wee can advise yo^r^ hono^r^ is as followeth

1670/1 Mar. 9

1 first that wee are in a sad condicon is most certaine living vnder the power of the Heathen and no power to defend by reason a nomber of out plantac̃ons are not able to secure themselves an[d] wee make a greate question if wee in the place can well secure o^r^selves and to bring them into the Towne wilbe there vtter ruine and losse of the river for then they expose there houses corne and cattell to the fury of the Indians and wee not able to mainteyne them here for p^r^venc̃on of w^ch^ o^r^ best proposall is if yo^r^ hono^r^ could spare so much time as to come over to treate w^th^ the Sachems w^th^out dispute the reverence to yo^r^ p̣son would procure vs 4 or 5 yeares respect and by that time the numerous issue by the assistance of god wilbe able to defend themselves

2 The Sachems of the Indians give for reason of there

Col. MSS. 20: 9 (NYSL)

warre that they threaten to make vpon the Christians is they say where the English come they drive them from there lands and bring for instance the North Virginia and Mary-

1670/1 Mar. 9

land and feare if not timely prevente[d] shall doe so here

3 Thirdly if possible to invite Cap^{t} Carteret to beare yo^{r} hono^{r} company the most of the Indians living vpon his side

4 fourthly wth all reverence yo^{r} hono^{r} having writt that yo^{r} hono^{r} if occasion was would expose yo^{r} selfe to the trouble of coming over and desired to know what forces to bring wth yo^{u} wee doe thinke that 25 men is enough for the guard of yo^{r} hono^{rs} ꝑson and that number will not frighten the Sachems and more may render yo^{r} hono^{rs} iourne unprofitable by there non appearance yo^{r} hono^{r} now att this time of the yeare not being to fight but to treate

5 fiftly if yo^{r} hono^{r} comes as wee well hope be pleased by the first to send an expresse and Peter Aldricks shall meete yo^{r} hono^{r} att the time p^{r}fixt to pilot yo^{r} hono^{r} from the Navecinck and informe the Indians of yo^{r} coming that they may not leave there houses att the sight of so many men to them vnexpected

6 sixtly o^{r} intenc̃on here is to build a blocke house 40 foote square wth 4 att every end for fflanckers in the middle of the Towne the fort not being fitt to be repaired and if repaired of noe defence lying att the extreame end of the towne and noe garrison therefore wee begg that wee may have lib̃ty to pull itt downe and make vse of the tiles bricks and other materials for the vse of o^{r} new intended fortificacacion [*sic*] w^{ch} if wee have no occasion for as wee feare wee shall will be convenient for a Court house notwthstanding

This being o^{r} duty in answer to yo^{r} hono^{rs} letter wee p^{r}sent to more prudent consideracon and assure yo^{r} hono^{r} wee will not alone maintayne o^{r} owne interest so farr as god shall inable vs but to the furthest of o^{r} industry presse to

save the hono^{r} of yo^{r} Royell Master and o^{rs} together wth the hono^{r} of o^{r} countrey and then lett fate act wth vs as the greate god is pleased in the meane time wee subscribe o^{r} selves Col. MSS. 20:9 (NYSL) 1670/1 Mar. 9

Right Hono^{ble}
yo^{r} hono^{rs} most humble
and faithfull serv^{ts}
Will Tom
pieter alrichs[1]

Endorsed:

A Letter from m^{r} Tom
& M^{r} Alricks to the
Governo^{r}, about the Indyan
affayres there.
Mar. 9. 1670.

[Robert Jones to John Carr.] Col. MSS. 20:16 (NYSL)

13th of March 1670

S^{r}

Yo^{r} letter of the 27th of Jan: I received the tenth of March instant, whereby we are all confirmed of y^{e} report of the great disaster that happened to the sloope, and I should haue writt sooner to you by a sloope y^{t} went vp the bay wherein M^{r} Wale did send, but I was from home & missed y^{t} opportunity, however, now M^{r} Wale and M^{r} Wharton are goeing themselves I haue sent my draught of the survay of 400 acres ioyning to our Towne land, and that of 400 acres at Bumbyes hooke w^{ch} is between M^{r} Wale and I, w^{ch} I presume you haue already recd by M^{r} Wale, together wth M^{r} Merritts who is gone for England, (but wilbe god willing here in October) beseeching you to continue you[r] great 1670/1 Mar. 13

[1] The autograph is Alrichs, but the name is more often given in the records as Alricks, and sometimes even as Alrighs.

Col. MSS. 20: 16 (NYSL)

1670/1 Mar. 13

kindnes and to procure vs our pattents. I doe purpose w^th^ gods leave to spend all the next yeare w^th^ you at Delaware, but this yeare I cannot stir, in respect of my office. I can give you noe further acc^t^ of that W^m^ Stone then I did in my last, but that it is not that D^r^ Stone mention'd in my last letter, for his name is John, this man must needs be very obscure for I haue enquired of the publiquest persons of that County concerning him and can heare noe tideings of any such man: however pray send an acc^t^ (you may draw it as large as you think convenient) of your due, by M^r^ Wale, for if the man were found we cannot proceed w^th^out it. I hope to receive good newes from you by the bearers returne, of peace and plenty and noe obstruction to our Noble Designe. I pray p^r^sent my dearest respects to all your good Neighbours, but expecially my humble services and thankes to Madam Carr, for all her goodnes to vs, strangers. I haue sent you a small roll of Tob^o^[1] to pipe it, but I am confident you haue better of yo^r^ owne (though this be sweete sented) for ours was all vtterly spoiled w^th^ the gust in August, however I beg yo^r^ acceptance, assureing you that in all respects wherein I am capable I will ever remaine

S^r^ yo^r^ most faithfull and obliged servant

Robert Jones.

Addressed:

These
For Cap^t^ John Carr
Govern^r^ of Delaware [*Seal*]
at New Castell.

Endorsed:

M^r^ Robert Jones
Virginia to C–Carre
about coming to settle at
Delaware.
Mar. 13. 1670.

[1] Tobacco.

June. 22th. 1671 — Instructions for Mr Walter Wharton about Delaware — Col. MSS. 20: 21 (NYSL)

1671 June 22

1. To send mee an Account (by the first oppertunity) of the names & number of the new Planters.

2. To affix a time by the which all the Patentees are to bee placed vpon their Land & make their Improvements.

3. To draw a Cart of their Land & how the Plantacons are seated.

4. What publique Improuement may bee made thereabout either by land or sea.

5 What sort of Gouernment will best suite with them when seated either as to Ecclesiastick, or Civil matters, in point of Formalities.[1] In the meane time That they haue one of the Law Bookes, confirmed already by his R. Hs, & that they conforme themselves to that, as farre as is practicable.

6. How they will secure themselves against any attempt either of Indyans or others, by forming a Militia, & recomending Military officrs to mee.

7. What Tract of Land will remaine to invite new Planters besides those that are already Patented.

8. That some person bee appointed to vndertake the collecting of the Quitt Rents for the which a Consideracon shall bee allowed for the whole RIver.

9. To view & enquire where the best & most convenient place or places will bee to fix one or more Townes.

10. Whether to associate with those already seated at the Whore Kill bee not best, to strengthen their party.

In a particular direction, Concerning a certaine Tract of land which I have taken vp in Delaware River, of which

[1] The remainder of the paragraph from this point is an insertion in the same hand on the second page of the original manuscript.

Col. MSS. 20: 21 (NYSL) you shall have scituacõn, & heads of the Patent out of the Records, That you make a Survey thereof, & send mee a draught of it.

1671 June 22

Endorsed:

Mr Whartons
Instructions.
1671

To be Entrd

No. XXXVI.

GRAVESEND AND NEW UTRECHT — LAND CONTROVERSY.

Deeds 2: 7 (Sec. State) At the Generall Meeting of the Deputyes of Long Island, held before the Governour at Hempsteed March 3d 1664.

Gravesend }
New Utricht }

1664/5 Mar. 3 It is this day Ordered, That the matters in difference betweene the Townes of Gravesend and New Utricht, about a certaine Parcell of Land, formerly the Lands of Robert Pennoyer, the one deriving a Title from George Baxter, as Purchaser from the said Pennoyer, the other from Aram Huttum Claiming a former Purchase of the same Land from Willm Goulding Employed by Pennoyer to dispose thereof; The respective Titles betweene Baxter and Huttom, shall bee left to the decision of a Tryall at Law in the next

Court of Sessions or Assizes; And there being likewise another difference betweene the said Townes, about a Parcell of Meadow Ground (called y^e^ ffly Lands) It is also Ordered, That Gravesend do take possession of the said Meadow Ground, as of right belonging unto them, and that the Inhabitants of the Towne of New Utricht, do forbeare the giving any hinderance or molestac̃on, to the said Towne of Gravesend, in their Enjoying the same.

Deeds 2:7 (Sec. State) 1664/5 Mar. 3

Richard Nicolls.

No. XXXVII.

HAVEN MASTER OF THE PORT OF NEW YORK — EMPOWERED TO ARREST AND ATTACH.

Phil^p^ Johns his Com^on^ for Haven Mast^r^

C. A. 2:654 (NYSL) [1671 March]

Francis Lovelace Esq^r^ &c Whereas a Haven Mast^r^ is necessarye & convenient to be imployed in this Port in goeing on board all Sloops & Vessells ariving & comeing to an Anchor before this place, As also to visitt & search all Ships before their departure to see if they haue made their dispatches in due ord^r^ according as is directed in that behalfe, To y^e^ end y^e^ Same may be accordingly put in Execution, I haue thought fitt to nominate & appoint Philip Johns to be Haven Mast^r^ of this Port, who is from tyme to tyme to goe on board all Ships & Vessells upon their Arivall, & to take an Account from whence every Such Ship or Vessell shall come & whith^r^ she is bound, as also y^e^ quality of her Lading, & that he acquaint y^e^ Mast^r^ that he must not breake bulke or Land any Goods before due entry be made of y^e^

C. A. 2:654 (NYSL)

[1671 March]

said Ship & goods respectiuely, As also that he imediately giue an Account thereof to me, or whome I shall appoint for that purpose, And y^e^ said Haven Mast^r^ is not to ꝑmitt or Suffer any Ship or Vessell to departe this Port, before the Mast^r^ hath cleared his said Ship & goods, & doth procure a Certificate und^r^ y^e^ hands of y^e^ principall officers of his Ma^ties^ Customes w^th^in this Government, or their Deputye or Deputyes, that he hath paid & satisfyed all dutyes according to ord^r^ And for what y^e^ said Haven Mast^r^ shall do in prosecution hereof this my Coñission shall be to him a sufficient warrant. Given und^r^ my hand & Seale at ffort James in New Yorke this [*blank*] day of [*blank*] in y^e^ [*blank*] yeare of his Ma^ties^ Raigne Annoq̃ Dñi 16[*blank*] [1]

[Francis Lovelace.]

No. XXXVIII.

NEW YORK CITY — SYLVESTER SALISBURY *vs* FREDRICK GIJSBERTSEN, IN REGARD TO CONFISCATED HOUSE IN STONE STREET.

Patents 3:9 (Sec. State)

A Confirmation Graunted to Cap^n^ Sylvest^r^ Salisbury for a certaine house & Lott of Ground w^th^in this Citty.

1668 April 8

Richard Nicolls Esq^r^ &c Whereas there is a certaine house & Lott of Ground w^th^in this Citty scituate lying & being in y^e^ Brewers or y^e^ Stone street haueing on y^e^ West syde thereof M^r^ Oloffe Stevens van Cortlandts one of y^e^ Aldermen of this Citty, & on y^e^ East syde Frederick Lubertsens con-

[1] The probable date of this commission is early in March, 1671.

teyning in breadth on y^e South syde before towards y^e street fower Rod & fiue Inches & on y^e North syde behynde three Rod six foot & Two Inches In Length on y^e West syde Tenne Rod one foot & a halfe & on y^e East syde Ten Rod six foot & a halfe w^ch said house & Lott of Ground w^th all their appurtenances stands forfeited & confiscated to his Mat^ies use by an Act of this Governm^t bearing Date y^e Tenth day of October 1665 as belonging to a Subject of y^e States Gen^rll of y^e United Belgick Provinces then in Warre & open Hostility ag^t his Ma^tie Now Know yee that for & in Consideration of 100 good and merchandable Beaver Skins receiued & paid unto me for y^e use of his Royall Highnesse y^e Duke of Yorke Lord Proprietor of theise Territoryes by Captaine Sylvest^r Salisbury who came over w^th me & is now Actually in his Ma^ties Seruice as Ensigne to his Royall Highnesse y^e Dukes Company of foot, & for diuers oth^r good causes me thereunto especially moving By vertue of y^e Commission & Authority unto me giuen by his said Royall Highnesse I haue thought fitt to give graunt bargaine & sell & by theise p^rsents doe giue graunt bargaine sell ratifye & confirme unto y^e said Silvest^r Salisbury his heires or Assignes th'afore recited house Lott of Ground & p^rmisses w^th all & singular their appurtenances To haue & to hold &c The Patent is dated y^e 8^th of Aprill 1668.

Patents 3:9 (Sec. State)

1668 April 8

An Ord^r about y^e Difference between Cap^t Salisbury, & ffredrick Gijsberts.

G. E. 4:136 (NYSL)

At a Councell held at Forte James y^e 17^th day of May 1672.

1672 May 17

The Matt^r in difference between Cap^t Sylvest^r Salisbury & ffredrick Gijsberts, haveing long depended, It being about

G. E. 4: 136 (NYSL) Rent claymed by Capt Salisbury from ye said ffredrick Gijsbrts for a certaine confiscated House in the Stone-Street graunted by Governor Nicolls to ye said Captn Salisbury;

1672 May 17 The Premisses being taken into Consideracõn, Its adjudged that ye Rent of ye said House is to bee paid to Capt Salisbury from the time of ye Publicacõn of ye Confiscacõn thereof, although before ye Date of his Patent, In regard it's thought to bee ye Intent of ye late Governor, & the Tenant ought not to pay the Rent after ye said Publicacõn to any other then whom the Governor should direct

By Ordr of ye Governor and Councell.

No. XXXIX.

BROOKLYN — DEBTS CONTRACTED IN BUILDING A HOUSE FOR THE MINISTER.

G. E. 4: 12 (NYSL) A Discharge for Mr Adrien Heggeman concerning his Accots about ye Ministrs House at Breucklin.

1671 Aug. 10 Whereas Adriaen Heggeman being heretofore Schout of Breucklyn dureing ye Dutch Governmt, did together with Albert Cornelijssen & other ye Schippens of that Dorpe by ye Consent of ye Governor then in being cause a Rate to be made for ye raiseing of a certaine Summe of Money upon ye Inhabitants there for ye building and Erecting a House

G. E. 4:12 (NYSL)

1671 Aug. 10

for y^e^ Minister, w^ch^ accordingly They did, but did not collect y^e^ whole Summe, many delaying or refuseing to pay y^e^ same, and although by y^e^ alteracõn of y^e^ Governm^t^ y^e^ said Schout & Schepens are long since dismist of their Employm^t^, yet are lyable to pay for y^e^ worke about y^e^ said House, and have by y^e^ Court of Constable and Overseers been Condemned soe to doe, although they have noe power to constraine y^e^ Persons in Arreare to pay their proporcõns, w^ch^ although it be for a publiqꝑ worke, yet without Reliefe had therein is like to redound to their particular Losse & Detriment, haveing taken y^e^ p^r^misses into serious consideration I have thought fitt by and w^th^ y^e^ advice of my Councell to Order and appoint y^t^ y^e^ Judgment of y^e^ Court of Constable & Overseers against y^e^ said Adriaen Heggeman & others upon this Accompt be made null, and that hee y^e^ said Adriaen Heggeman, Albert Cornelijssen, & those concerned w^th^ him giveing in an Accompt to y^e^ Constable & Overseers of what they have receiv'd, & what is in Arreare they shall be clearely acquitted & discharged from any further Trouble hereupon; And y^e^ Constable & Overseers of Breuklyn are and shall be hereby invested in y^e^ same Power w^ch^ heretofore y^e^ said Schout and Schepens had to Levy y^e^ Sum̃es of Money in Arreare, upon y^e^ Persons or Estates assessed if to be found; But if y^e^ Summe intended to be risen shall come short (diverse of y^e^ Inhabitants being either dead or removed) the said Constable and Overseers have power to make a New Rate for y^e^ Remaind^r^ upon y^e^ whole Towne; And for soe doeing this shall be their Warrant. Given under my Hand and Seale at Forte James in New Yorke this 10^th^ day of August 1671.

ffran: Lovelace

No. XL.

WEST INDIA COMPANY — DEBTS.

C. A. 2: 540 (NYSL)

Mr Thomas Lovelace & Mr Paul Leendertsẽ appointed Collectors & Receiuers of ye Debts belonging to ye West India Company in theise his Royall Highnesse Territoryes.

1670 May 29

Francis Lovelace Esqr &c Whereas by severall Acts made in ye tyme of my Predecessor Colt Richard Nicolls an Arreast & confiscation was put upon ye whole Estate of what nature or kinde soever belonging or in any wise apperteyning to ye West India Company of Amsterdam wthin theise his Royall Highnesse his Territoryes, In one of wch said Acts there was a penalty to be imposed of double ye value of any Sume of money Goods or debts wch by any person should be concealed Ten dayes after publication thereof, Nothwithstanding wch diuers persons do still prsume to keep in their hands, seuerall Goods effects Debts or Sumes of money due to ye said West India Company or to some others in trust for them wthout giving any Account for ye same & there being likewise many others who by vertue of ye Articles of surrender Do lay clayme to seuerall Sumes of money due or prtended to be due from ye said Company to them, To ye end ye former Acts may ye more duely be put in Execution & all lawfull Debts be satisfyed & discharged, I haue wth ye advice of my Councell thought fitt to ordr & appoint & by theise prsents do order nominate & appoint you Mr Tho: Lovelace & mr Paul Leendertz to be Collectors & Receiuers of all goods effects or Debts belonging to ye said West India

Company w^th^in theise his Royall Highnesse his Territoryes in whose hands soever they shall happen to be whose receipt for what shall be so Collected & received by them shall be to y^e^ Person of Persons who shall pay y^e^ same a sufficient discharge, & such goods or effects they are to keep & secure untill such tyme as I shall receiue directions from his Royall Highnesse touching y^e^ same & giue my further ord^rs^ thereupon how & to what use y^e^ said Estate shall be disposed, And all Persons w^th^in this Governm^t^ are hereby in his Ma^ties^ name strictly required & injoyned to observe & obey this Proclamation & ord^r^ & to make discouery of their knowledg of any Concealement of y^e^ p^r^misses as they will answer y^e^ Contrary at their utmost perills. Given und^r^ my hand & sealed w^th^ y^e^ Seale of y^e^ Province this 29^th^ day of May in y^e^ 22^th^ yeare of his Ma^ties^ Raigne Annoqꝫ Domini 1670.

C. A. 2:540 (NYSL)

1670 May 29

[Francis Lovelace.]

No. XLI.

NEW YORK CITY—EXPORT OF WHEAT.

An Ord^r^ strictly Prohibiting y^e^ Exportation of Wheate out of this Province, for one yeare.

C. A. 2:660 (NYSL)

Whereas I am Credibly Informed that there is a generall Scarcity of wheate throughout this Province, & aft^r^ strict inquiry & Examination made by y^e^ Mayor & Aldermen of this Citty, it hath beene found, That there is so small a quantity, that it will be scarcely sufficient for y^e^ necessary Supply of y^e^ Government & y^e^ Ships & Vessells that may arive here

1670/1 Mar. 9

C. A. 2: 660 (NYSL)

1670/1 Mar. 9

to this Port, I haue therefore by & w^th^ y^e^ Advice of my Councell thought fitt to order & by these p^r^sents do ord^r^ & require that y^e^ Officers of y^e^ Customes do not passe any Bill or Bills of Lading to any Mast^r^ or Mast^rs^ of Ships Sloops or Vessells for y^e^ Exportation of any Wheate in Graine, from & after y^e^ date hereof for this Ensueing yeare, without Speciall warrant first obteyned under my hand & Seale, und^r^ y^e^ Penalty of forfeiting all y^e^ Said Wheate & double y^e^ value thereof for Contempt; Always provided that this ord^r^ do no way restraine any ℔son of ℔sons from transportation of fflower made of Wheate bread or Biskett for y^e^ use of Merchants or others who are or may be engaged to make paym^t^ therein but only of wheate in Graine. Given und^r^ my hand, & sealed w^th^ y^e^ Seale of y^e^ Province this 9^th^ day of March 1670.

[Francis Lovelace.]

C. A. 2: 695 (NYSL)

Answ^r^ to y^e^ Peticon y^t^ was p^r^ferrd by diverse of y^e^ Inhab^ts^ of N: Yorke for to have y^e^ Prohibicon about Corne repealed.

1671 May 23

Whereas a Peticon hath been p^r^sented unto mee by diverse of y^e^ Inhabitants of this City wherein they make it their Request that the late Prohibicon of y^e^ Transportacon of Corne may be repealed, for severall reasons by them given in, Upon due Consideracon had hereupon, I have by & w^th^ y^e^ advice of my Councell thought fitt to Ord^r^ & Appoint, That in regard y^e^ said Prohibicon was soe lately made, & when it was was publiquely ꝓposed at y^e^ Court of Mayo^r^ & Aldermen of this City, noe Objection was made against it, for y^e^ p^r^sent y^e^ s^d^ Ord^r^ of Prohibicon is to remaine in force; But for y^e^ better Satisfaccon of y^e^ Pet̃n^rs^, Enquiry shall be

made by y^e^ Justices of y^e^ Peace at y^e^ Courts of Sessions to be held in y^e^ Month of June next upon Long Island, what y^e^ gen^ll^ pbability or Likelyhood is of y^e^ Plenty or Scarcity of Wheate Corne y^e^ yeare ensueing, & likewise in y^e^ meane time y^e^ Mayo^r^ & Aldermen of this City are to examine how y^e^ Stock of Corne in Store is like to hold out for this p^r^sent yeare, upon Reporte whereof made unto mee, such Order shall be taken therein as will tend most to The Publique Good. Given under my Hand at fforte James in New Yorke this 23^th^ day of May in y^e^ 23^d^ yeare of his Ma^ties^ Reigne Annoq̃ Dñi. 1671.

[Francis Lovelace.]

C. A. 2:695 (NYSL)

1671 May 23

Liberty given to John Schout, & Laurens Sluijsen to carry some Wheat to Milford to bee ground.

G. E. 4:164 (NYSL)

Vpon y^e^ Request of John Schoute, & Laurens Sluijsẽ, That they may have Liberty to carry two hundred Scheple of Wheat in their Sloope y^e^ Hope to y^e^ Mill at Milford, In regard all y^e^ Mills hereabout are at this present employed by y^e^ Bakers to grinde great quantityes of Corne, I have thought fitt at this particular juncture of time to graunt their Request; Provided, That they give Security to y^e^ Collector of y^e^ Customes, that they shall bring back in ffloure or Meale the whole Produce of y^e^ Corne they carry out; Of y^e^ w^ch^ the Haven Master is to make Inspection; But if it shall bee made appeare, that they doe fraudulently convey the Corne elswhere, then they shall bee lyable to such Censure & Penalty as in y^e^ Act of y^e^ Last Gen^rll^ Co^rt^ of Assizes touching y^e^ Prohibic̃on of y^e^ Transportac̃on of Corne is sett forth. Given &c: at fforte James N: Yorke this 8^th^ day of July 1672.

[Francis Lovelace.]

1672 July 8

G. E. 4:194 (NYSL)

Lycence for Mr Wm Darvall to transport six-hundred skeple Wheat to Milford Mill to bee ground.

1672 Aug. 23

Vpon ye Request of Mr Wm Darvall of this City Mercht, that in regard hee cannot for his present Convenience bee accomodated in the grinding of his Corne at the Mills within this Governmt, some being out of Order, & others already full or bespoken by others for Grindeing, hee may have Liberty to transporte a certaine quantity of Corne in a Sloope to be ground in the Mill at Milford; hee engaging to have the whole quantity or Produce of what shall bee carryed out by him to bee brought back againe hither in ffloure or Meale, I have thought fitt to grant his Request; And the said Mr Darvall hath hereby Liberty to transporte from hence to Milford in the Sloope Hunter, John Pietersen Master six hundred Scheple of Wheate, there to bee ground as aforesaid; And for soe doeing this shall bee his Warrant. Given under my Hand at fforte James in New Yorke this 23d day of August 1672.

[Francis Lovelace.]

No. XLII.

HUDSON RIVER — REGULATION OF TRADE AND SHIPPING.

C. A. 2:559 (NYSL)

No Stranger or Strange Vessell permitted to Trade up to Albany or Sopez wthout paying ye Dutyes required here.

1670 June 27

Whereas It is Represented unto me by ye Mayor & Aldermen of this Citty that it proves a very greate Inconvenience

to y^e^ Inhabitants here that diuers Strangers & strange Vessells no way Related to this Place or Province doe frequently go up Hudsons Ryver to Esopus & Albany there to trade & traffique Contrary to former Constitutions & customes in such Cases provided, It is this day ordered, That no Stranger or Strange Vessell shall be permitted from & aft^r^ y^e^ Date hereof to passe up y^e^ said Ryver to eith^r^ of y^e^ places aforesaid there to trade or Traffique upon any p^r^tence whatsoever, However such Vessells unloading their goods in this Citty & paying y^e^ Dutyes required, the Owners of such goods haue liberty to transport them into theise parts in any oth^r^ Vessells belonging to this Port, & may go up themselues w^th^ leaue to negotiate there, hauing first obteyned y^e^ Priviledg of being free Burgers of this Citty. Given und^r^ my hand at ffort James in New Yorke this 27^th^ day of June in y^e^ 22^th^ yeare of his Ma^ties^ Raigne Annoq℔ Domini 1670.

[Francis Lovelace.]

C. A. 2:559 (NYSL)

1670 June 27

No strang^rs^ or Strange Vessells ℙmitted to go up y^e^ North Ryver to Esopus or Albany.

C. A. 2:659 (NYSL)

Whereas I haue Rec^d^ a Petition from divers of y^e^ Inhabitants of this Citty & Province, who trade in Sloops & small Vessells, That no Strangers or Strange Vessells may be ℙmitted to go up y^e^ North Ryver to Esopus or Albany concerning w^ch^ there hath an ord^r^ beene formerly made, I Have therefore thought fitt by y^e^ Advice of my Councell that y^e^ former ord^r^ bearing date y^e^ 27^th^ day of June last be revived, & stand in force to all Intents & purposes, & that no ℙson or ℙsons do p^r^sume to transgresse herein at their ℙills, of w^ch^ y^e^ Officers at y^e^ Custome house are to take a Strict & Exact Account, Given und^r^ my hand at ffort James in New Yorke this 9^th^ day of March 1670.

[Francis Lovelace.]

1670/1 Mar. 9

No. XLIII.

SOUTHAMPTON, SOUTHOLD, ETC.— REFUSE TO RENEW THEIR PATENTS.

C. A. 2:663 (NYSL)

The Governo^{rs} Com^{on} to Tho. Delavall Esq^{r} M^{r} Mathias Nicolls Secr̃. & M^{r} Isaack Bedlow. &c.

1670/1 Mar. 9

Francis Louelace Esq^{r} &c fforasmuch as there is not a right understanding betweene diuers of y^{e} Inhabitants at y^{e} East end of Long Island, & y^{e} Governm^{t} Established in theise parts by Authority of his R. H^{ss} wheth^{r} occasioned by y^{e} distance thereof from this place, or some ill mynded people who take delight to breed disturbance & to infuse ill principles into y^{e} myndes of his Ma^{ties} good Subjects I Have therefore thought fitt to constitute & appoint & by this my Com^{on} do hereby constitute & appoint; Thomas Delavall Esq^{r} Mayo^{r} of this Citty & one of y^{e} Councell Mathias Nicolls Esq^{r} Secretary, & one of y^{e} Councell, & M^{r} Isaack Bedlow to be Com^{rs} to inquire & Examyne into all or any matter of Publique difference or concerne in y^{e} Townes of Southton Southold & Easthampton, or any of y^{e} Townes in their way thither, to w^{ch} end they are hereby authorized to send for any person or persons concerned, & as occasion shall require for y^{e} better discovery of y^{e} truth to administ^{r} an oath to them, (w^{ch} oath they haue hereby authority to giue) & to prosecute this my Comission according to y^{e} Instructions herewth sent, And in Case any resistance or disturbance be giuen to y^{e} said Com^{rs}, they haue hereby full power & Authority to raise any or such number of y^{e} trayned Bands for their Assistance, as they shall Judg

necessary for y^e^ p^r^servation of y^e^ Peace, in w^ch^ all Officers are to giue their best ayde, And for what they shall herein lawfully Act or do this my Com^on^ shall be to them a sufficient warrant. Given und^r^ my hand & Sealed w^th^ y^e^ Seale of y^e^ Province this 9^th^ day of March 1670. C. A. 2:663 (NYSL) 1670/1 Mar. 9

[Francis Lovelace.]

The Governo^rs^ Łre to y^e^ Inhabitants of Southton. C. A. 2:661 (NYSL)

Gentlemen

Having lately receiued a Łre of y^e^ 15^th^ of ffebruary from your Towne of Southampton Subscribed by many of y^e^ Inhabitants of it in Answer to an order of y^e^ last Gen^rl^ Court of Assizes[1] held at New Yorke w^ch^ injoyned all Townes & perticuler Planters to take out Pattents for y^e^ confirmtion of their rights according to y^e^ Law made at y^e^ Gen^rll^ meeting at Hempsteed & since confirmed by his R. H^ss^ w^ch^ Letter of yours consisting of Severall reasons (as you p^r^tend) why your Towne should be Exempt from any such injunction w^ch^ argum^t^ of yours being taken into Serious consideration by my selfe & Councell; I haue thought fitt (at p^r^sent) to retorne this in Answer, That in regard of y^e^ distance of place & y^e^ avoyding all prolixity w^ch^ would inevitably ensue should theise disputes be managed by wryting, I haue therefore thought it more conducing to begett a true understanding of yo^r^ sence to authorize Some Com^rs^ who shall heare & freely debate arguments w^th^ yo^u^ & to rend^r^ me an Account of y^e^ Results of your further determinations, & y^e^ rather in regard I haue desired libertye of his R. H^ss^ to visitt my natiue Soyle this Sum̃er (w^ch^ if obteyn'd) I may then y^e^ better haue an oppertunity to represent y^e^ true State of this affaire. You [1670/1 Mar. 9]

[1] The section referred to is evidently *Court of Assizes*, vol. 2, pp. 231–232.

C. A. 2:661 (NYSL) may perceiue by this how unwilling I am to apply any harsh medicaments where I hope lenitives may prevaile, I haue no more but referre y^e^ whole managem^t^ of y^e^ affaire to those [1670/1 Mar. 9] Com^rs^ I haue authorized thereunto not doubting but of a good understanding & issue of it & so I remaine

Yo^r^ Loving freind

Fra: Louelace.

I heare yo^u^ haue made already a Succesfull progresse in yo^r^ whale fishing, w^ch^ I wish may be continued to yo^r^ greate satisfaction, but w^th^all that yo^u^ obserue that Golden Rule of y^e^ Apostle w^ch^ is, Be not high mynded but feare.

No. XLIV.

KINGSTON, HURLEY, MARBLETOWN—REGULATION OF COURTS, MILITARY AFFAIRS, ETC.

C. A. 2:676 (NYSL)

Commission for Capt Tho: Chambers to be Justice of y^e^ peace.

1671 Apr. 26 Whereas I have conceived a good Opinion of the Ability & Integrity of You Thomas Chambers of ffox-Hall in Esopus for y^e^ carrying on of publique Affaires, I have therefore thought fitt to Constitute & appoint You to be Justice of y^e^ Peace in all y^e^ Townes at Esopus and Plantac̃ons, giveing you full power & Authority to Execute all such Lawes as already are or hereafter shall be made for y^e^ good Governm^t^ of these his Royall Highness his Territoryes;

Hereby willing & requireing you to discharge yo^r^ Duty as a Justice of y^e^ peace ought to doe: & to Observe such Rules & Instructions from time to time as you shall receive from mee concerning the same. And all other persons within this Governm^t^ are strictly charged & required to take notice hereof; & to beare Respect & give Obedience unto you in y^e^ performance of yo^r^ Office of a Justice of peace appointed by Authority of his Royall Highness. Alwayes provided that this Commission doe not extend to y^e^ takeing away or diminishing the usuall Authority & course of Judicature now in being administred in y^e^ Towne of Kingston by y^e^ Schout and Commissaryes there. Given under my Hand & Seale at ffort James in New Yorke this 26^th^ day of Aprill in y^e^ 23^d^ yeare of his Ma^ties^ Reigne. Annoq̃ Dñi. 1671.

[Francis Lovelace.]

C. A. 2:676 (NYSL)

1671 Apr. 26

A Ł^re^ from y^e^ Governo^r^ to y^e^ Mayo^r^ of y^e^ City.[1]

C. A. 2:677 (NYSL)

M^r^ Mayo^r^

You being one of y^e^ Councell, & well known in all y^e^ publique Affaires at Esopus & Albany whether yo^u^ are now takeing a Voyage, I shall not need to give yo^u^ any particular Instructions, but referr all matt^rs^ of that nature w^ch^ shall come before you there to yo^r^ prudent Managem^t^; of w^ch^ at yo^r^ Returne I shall expect an Acco^t^ Soe wishing you a prosperous & speedy Voyage; I remaine

1671 Apr. 28

S^r^

New Yorke
Apr: 28^th^
1671.

Yo^r^ very Lov: Friend.
Fran: Louelace.

[1] Captain Thomas Delavall.

G. E. 4:19 (NYSL)

Instructions for Capt^{n} Delavall at his goeing to Albany. June y^{e} 28th 1671.

1671 June 28

These are to desire & Authorize you at yo^{r} being at Albany, Esopus, or parts adjacent, that in all Cases of Emergency relateing to y^{e} Publique, you call to yo^{r} Assistance Capt^{n} Willett, Capt^{n} Salisbury, & y^{e} Com̃issaryes if at Albany & y^{e} Chiefe Offic^{rs} of y^{e} place if at Esopus; Amongst whom you are to p^{r}side in all Consultac̃ons; And that you Act & doe according to y^{e} best of yo^{r} Judgm^{t} in all Matt^{rs} relateing to his Mã^{ties} Service, & y^{e} good Governm^{t} of these his Royal Highness Territoryes; Off w^{ch} as Occasion shall require you are to give mee speedy Notice; And for what you shall herein lawfully Act or doe this shall be your Warrant and Discharge. Given under my Hand at fforte James in New Yorke this 28th day of June in y^{e} 23th yeare of his Mã^{ties} Reigne. 1671.

Fran: Louelace

G. E. 4:60 (NYSL)

Orders for y^{e} Regulating of y^{e} Civill & Military Affayres at Esopus.

1671 Oct. 25

1. Inprimis. That Cap^{t} Chambers Command y^{e} Militia at Kingston, and Cap^{t} Pawling Command y^{e} other Company at Hurley and Marbletowne.

2. That for exercizing y^{e} said Militia both private and Geñ^{rll} they follow y^{e} p^{r}scription of the Booke of Lawes in that Case Establisht; And soe likewise for ffining of Delinquents, p^{r}servac̃on of Armes, Ammunic̃on &c:

3. That every Towne in y^{e} Administrac̃on of Justice follow y^{e} Rules of y^{e} Lawes already sett forth, That is to say,

That each Towne shall determine definitively all Actions under ffive pound according to y^e^ Lawes of Towneshipps. G. E. 4:60 (NYSL)

4. That there shall bee a Cõ^rt^ of Sessions held each halfe yeare at Kingston, which shall determine all Actions whither Criminall or other (not extending to Death) & inflict punishm^ts^ according to the Merritt of y^e^ ffact, whither on Christians or Indyans; And for Matt^rs^ Civill as other Co^rts^ of Sessions doe here hold and Determine; w^th^ this Provisoe That any party aggrievd may have like Liberty to Appeale to y^e^ Geñ^rll^ Court of Assizes held at New Yorke. 1671 Oct. 25

5. The Persons that are to sitt at y^e^ Cõ^rts^ of Sessions shall bee Cap^t^ Chambers, Justice of y^e^ peace who is to p^r^side as Presid^t^ y^e^ Schout of Kingston, & Elect Commissary, Cap^t^ Pawling for Marbleton, Albert Heymañs for Hurley, & the Eldest Commissary at Kingston.

6. That in regard y^e^ Traffick at Esopus consists chiefly in Corne w^ch^ Invites Merchants from this City of New Yorke to repaire thither to Negotiate w^th^ y^e^ ffarmers, and that it may often happen out soe that some difference ariseing above y^e^ determinacõn of Towne Courts, soe that the Merchant according to y^e^ ordinary Course of Justice must be Constreyn'd to attend y^e^ Sessions, w^ch^ may prove prejudiciall to his Affayre by y^e^ approaching of Winter, or any other Intervening Lett or hindrance; ffor p^r^vention thereof It may be lawfull for any Person at any other time to Cause a Speciall Court to be call'd (as a Court of Sessions) the Person being at y^e^ Charge that convenes it; And all Actions soe determined there shall bee Esteemed as Effectuall as if it had past at y^e^ Court of Sessions held at their usuall Seasons.

Francis Louelace.

Octob^r^ 25^th^ 1671.

[34]

No. XLV.

DELAWARE AFFAIRS — THE WHOREKILL, CAPTAIN MARTIN CREIGER, MILLSTONES, SLOOP OF JAN DE KAPER.

Col. MSS. 20:13 (NYSL) Dutch

[Expense Account in the Search for the Sloop of Jan de Kaper.]

[1670 October] Reckenning van onksten gedaen van Hendrick de Backer ẽ anderen hier van dan gesonden, naer t' vernemen van t' Jacht van Jan de Kaper.

Hendrick de Backer voor eerst naer t' Jacht te soecken, uijtgegeuen, aen de wilden,

6 vaem Sewant	f 12
¾ duffels	f 15
¾ ℔ Cruit	f 4
Noch bij accort bedongen	f 300
	f 330
Noch aen Jan Boeijer beloft	f 128
	458f

Reckening van Harmanus in gebrocht vor d. gejnteresde van t' Jacht van Jan de Kaper: 13 elle duffels voor

Translation:

Account of expenses of Hendrick de Backer and others sent from here to inquire after the sloop of Jan de Kaper

Hendrick de Backer, in looking for the sloop, first paid to the Indians

6 fathoms of seawant	f 12—
¾ [yards of] duffel	f 15—
¾ lb of powder	f 4—
Also stipulated by agreement	f300—
	f300—
Also promised to Jan Boeijer	f128—
	f458—

Account handed in by Hermanus for those interested in the sloop of Jan de Kaper 13 yards of duffel for 4 loads

Col. MSS. 20:13 (NYSL) Dutch

[1670 October]

4 drachten goet door de wilden in d. Hoere kil gedragen, van dito Jach[t] de eel gereckent op f 12# f-156—
f-458—

Summa f 614#—

Translation:

of goods carried by the Indians from the said sloop to the Whore kill, a yard counted at f12.....f 156—
f 458—

Total f 614—

dito Helmanus brengt noch een reckenning in voor sijn partickulier bij hem verdient
vor verteerde kosten ——————f 24#
p[r] Jnuentarij van goederen opgenomen ——————f 20#
Noch vor sijn persoon uijt gewest, vor versuijmde tijt f 200#
vor verteerde kosten f 16#
Noch aen piter groe[n] f —45#
f 305#

welcke Sum in gheen Consideratie genomen wert

Translation:

Said Helmanus hands in also an account of personal charges
For expenses.....f 24—
For making an inventory of the goods.....f 20—
Also for lost time, while.... he was absent.....f 200—
For expenses.....f 16—
also to piter groe[n]:.....f 45—
f 305—

Which amount is not taken into consideration.

Col. MSS. 20:13 (NYSL) Dutch

[1670 October]

Endorsed:

A bill of Charges
about Jan de Capres
sloope.
1670.

C. A. 2:621 (NYSL)

An Ordr for Mr Peter Alricks to take a paire of Milstones at ye Whorekill.

1670 Nov. 7

These are to certifye all whome it may concerne that I haue given leaue to Mr Peter Alricks to take a paire of Milstones lyeing in ye Sand at ye Whorekill fitt for a Horse mill & belonging to no ꝑson there ye wch he may remove from thence & dispose of at his pleasure, He rendring a due Account to me of ye Same. Given under my hand at ffort James in New Yorke this 7th Day of 9br 1670.

[Francis Lovelace.]

Col. MSS. 20:10 (NYSL) Dutch

[Relation from the Magistrates at the Whorekill concerning Jan de Kaper's Vessel.]

[1671 March N. S.]

1670 den 20 desemb isser eẽ sackamacker van Nassawam bij sachamok wonende alhier ter plaetse gecomẽ ẽ hebbe hem afgevracht ofter niet eẽ vaertuyg woorde Ynomẽ tot de Zuijder see heeft hij mij bericht ẽ gesegt daer is een vaertuijg gevondẽ ant strandt by Cincketeck inlaet belangende onder

Translation:

1670, the 20th of December, a sachem of Nassawam, living near Sachamok, came to this place and I asked him whether a ship had not been heard of at the South Sea; he informed me and said that a ship had been found on the beach near Cincketeck Inlet resorting under Maryland, so I ordered Henrick

merrylandt soo heb ick hendrick drochstraetẽ daer na toegaende om te handelẽ met de wildẽ belast om daer we[l] na te Ÿnemẽ ẽ is dẽ 3 Jannawarij weder daer van daen gecomen ẽ heeft vande wilden Ÿstaen datter ontrent doe de maijs rijp wordende een vaertuijg was gestrandt ẽ eene boot vindende hoch inde duijnen gedreven met eenig goet daer in ẽ datse een doot persoon op 't strandt hebben gevonden met noch Ÿscheydene kisten die uijt het Jacht waerẽ gespoelt ẽ het vaertuijg lach noch in t Water in t stuckẽ tegen de wal ẽ met eenen de boot Toonende de welc[ke] de wilde in het binnen water haddẽ gewerckt ẽ tot an sackamock gebracht als oock het wapẽ van 't Jacht de Jonge prins ẽ Dito Hendrick is doen van hier Ÿtrockẽ na Ny Castel om daer tijding an te brengẽ van t Jacht den Jannawarrij isser een Wilt gekomẽ van sackamock seggende daer is noch bevers

Translation:

Col. MSS. 20:10 (NYSL) Dutch

[1671 March N. S.]

Drochstraeten, who went there to trade with the Indians, to make careful inquiry about it. He returned thence on the 3d of January and understood from the Indians that about the time when the maize was getting ripe a vessel was stranded and that a boat was found cast high upon the dunes, with some goods therein, and that they found a dead body on the beach together with various chests which had been washed from the sloop, and that the vessels was still lying in pieces in the water close to the shore, and that they showed him the boat which the Indians had hauled to the inlet and brought to Sackamock, as well as the arms of the sloop *de Jonge Prins*; and the said Hendrick thereupon went from here to New Castle to bring tidings about the sloop. The 4th of January an Indian came from Sackamock saying: "There are yet more beavers and some other

Col. MSS. 20: 10 (NYSL) Dutch

[1671 March N. S.]

ẽ eenich ander goet Comt ẽ haelt het want de engelse willen komẽ ẽ nement wech waer oṽ pieter gronendick met Herman Cornelisz is daer na toe gegaen ẽ hebbẽ bevers ẽ goet daer van daen gehaelt het welck op den Inventarij kan blyckẽ

dẽ 29 Jannawaṝ is hendrick drochstraetẽ wederom van Nij Castel gearriveert met ule swensẽ ẽ Jan boeijer om na de wilden te gaen om na het volck vande sloep te Ɣnemen heb als doẽ eenẽ Brief ontf van Capt John Car Will Thom pieter alrichs onderteeckent Ɣsoeckende an mijn omme met dese persoonen daer na toe te gaen het welck ick oock volbrackt hebbe soo als wij aldaer quamen soo hebben wy de wilden ondervracht de wilde segten datse 2 dagẽ na den Storm waeren na de plaets toegevaerẽ om te gaen oster[en] soo hebbense het Jacht aldaer gebrockẽ an't strant sien leggen ẽ de boot inde duijnen ẽ eẽ doot

Translation:

goods; come and get them, for the English will come and take them away." Whereupon Pieter Gronendick and Herman Cornelissen went there and took the beavers and goods from thence, as may appear from the inventory.

The 29th of January, Hendrick Drochstraeten returned from New Castle with Ule Swensen and Jan Boeijer to go to the Indians to inquire after the people of the sloop. I received then a letter signed by Capt. John Car, Will Thom [and] Pieter Alrichs, requesting me to go thither with those people, which I did. As soon as we arrived there, we questioned the Indians. The Indians said that two days after the storm they paddled to the place to go oystering, and so saw the sloop lying broken on the beach, and the boat high upon the dunes, and a dead body washed ashore, of tall stature, with brown hair and a very big belly. We

Lichaem an strandt gespoelt lang van posteur brun haijr ẽ eẽ heele dicke buijck wij Ỽsochten eẽ wilt met eẽ Canoe om daer na toe te gaen het welck de sack-[amacker] toestont 1 1/2 vaem swart Zeewant gingẽ ontrent 2 duijtse my[lẽ] verder op eene plaets genamt Sinckoachkinck ẽ dewiel het heel kout was ẽ Harde N W wint ẽ durfdẽ inde Canoe niet avontuerẽ moestẽ alsoo 7 dagẽ onder de wilden Ỽslijtẽ door dien het water toevroes het welck wel 3 duijtse breet oỽ is soo naderhandt ẽ wilde de wilt die wy gehuert haddẽ niet meede ẽ wij niet langer ẽ Condẽ blijvẽ namẽ een Canoe vande Wilden om weder ande vaste wal te komẽ brackẽ door 't ys ẽ als wij in de middẽ quamẽ was het opẽ door de S' windt dieder op quam waer oỽ wij in groot perykel waerẽ want het ys quam van eene syde met de eb ẽ de ander Syde met de wint tegen de kano quamẽ

Translation:

Col. MSS. 20: 10 (NYSL) Dutch

asked for an Indian and a canoe to go thither, which the sachem granted for 1 1/2 fathoms of black seawant; [1671 March N. S.] we went about two Dutch miles further to a place called Sinckoachkinck and, as it was very cold and there was a strong N. W. wind, we dared not venture any further in the canoe and were obliged to waste 7 days among the Indians, during which the water, which is about three Dutch miles wide, froze over. Afterwards, the Indian, whom we had hired, would not go with us, and, as we could not stay any longer, we took a canoe from the Indians to return to the main land; we broke through the ice, and when we reached the middle it was open, on account of the south wind which came up, and we were in great peril, for the ice came from one side with the ebb tide and from the other by the wind against the canoe; but after much labor we managed,

Col. MSS. 20:10 (NYSL) Dutch

godt lof door veel arbeydens noch oꝑ doen wy oꝑ quamẽ gingen weder by de Voorige

[1671 March N. S.]

wilden resolveerden na de Engelse tot Bocquetenorton te gaen do[or] dat daer de boot was want een Engelsman had bij de Wil[den] geweest ẽ hadde de boot van daen gehaelt om alsoo met de boot daer na toe tegaen daer wij des anderdachs quamẽ dẽ 14 feb aldaer Ɣstont ick an eenige Jnwonders datter sommige van haere nabuerẽ na dat sy het vande wilde gehoort haddẽ datter eẽ vaertuijg gestrandt was waerẽ na toe gevaerẽ ẽ eenich goet van daen gebrocht soo ontmoeten ick eẽ Commissaries van pocomock wiens naem is James Weedon alhier nu inde hoerekil woonachtich waer van ick eẽ warandt Ɣsocht om te Ɣnemẽ hoe het met vaertuyg ẽ het goet dat gebracht was daer van daen ẽ waer het volck mochte belandt sijn de welcke alsoo dede ẽ ginck met de warandt

Translation:

God be praised, to get across. When we got across we returned to the aforesaid Indians. We resolved to go to the English at Bocquetenorton, inasmuch as the boat was there, for an Englishman had been among the Indians and taken the boat away; [we decided], therefore, to go there by boat. We arrived there the next day, the 14th of February. I understood from some of the inhabitants that some of their neighbors, after they had heard from the Indians that a ship had stranded, had sailed thither and brought some goods from there. I met a commissioner of Pocomock, James Weedon, by name, who now lives here in the Whore Kill, whom I asked for a warrant to make a search for the vessel and the goods which had been taken from it, and to find out what had become of the crew, which he gave me. With this warrant I went to the constable, who at once

na de Constabel de welcke Terstont met myn ginck van huys tot huys ẽ de geene die wat hadde gevondẽ Toondent soo sij seyden Toondẽ 2 Jse boutẽ van't Jacht eẽ ander dry boutẽ 1/2 ledich vat waer van noch eẽ anden seyde ick 3 gard kerseij gevondẽ het welck onder t sant was gedolven ẽ een kleyn Slipien siende haeldent uyt het water soo alwat daer wierde getoont is van kleyne importantie ẽ vondẽ de boot oock aldaer waer van de sitbanck uyt was het welck de wildẽ seydẽ daer uijt was doen sy de boot vondẽ op de Jnventarij heb ick het pertinent ges[et] al wat tot Bocquetenorton is bij yder man als het weer wat stil woorden soo royden wy met de boot vandaen na t rack om te sien met een wilde Jonge maer de N O wint hief op soo dat wij ter nouwer noot an James onils eijlandt quamẽ daer wy door regẽ ẽ wint wierden op gehoudẽ royde daer na noch-

Translation:

Col. MSS. 20:10 (NYSL) Dutch

[1671 March N. S.]

went with me from house to house, and those who had found anything showed it as they spoke. One showed two iron bolts of the sloop, another three bolts and a half empty cask, while yet another said that he found three yards of kersey which was covered over by the sand and, seeing a small piece of it, he pulled it out of the water; so that all that was shown to us was of little importance. We found there also the boat, the seat of which was gone; the Indians said that it was lacking when they found the boat. On the inventory I have noted in detail everything that is at Bocquetenorton in each man's house. When the weather became somewhat calm, we rowed in the boat with a young Indian toward the wreck to examine it, but the N. E. wind came up, so that we scarcely reached James O'Neil's Island, where we were delayed by rain and wind. Never-

Col. MSS. 20: 10 (NYSL) Dutch

[1671 March N. S.]

tans inde wint daer na toe soo als wy daer quamẽ soo gingẽ wij het strandt wel 3 duytse mielẽ langs. vondẽ het Jacht in 't sant bedeckt tẽ deele alle de syde planckẽ vondẽ wij langs strandt op gesmetẽ ẽ hier ẽ daer eẽ stuck van 't deck ẽ stuckẽ van 't Jacht ẽ planckẽ ẽ de spil lagh ontrent eẽ ur gans van Wrack het welck dwars tegen de wal leijt maer hebbẽ geen doode lichaem noch gebeente Cunnẽ vindẽ de lieden van Bocquetenorton seyden dat sy het doode lichaem [niet gesien] [1] hadden maer seyde dat de Wilden hadden geseght dat de wolf die al Ɣslondẽ had het welck de wildẽ oock tegẽ ons seydẽ als wij se Thien vaen Zeewant met eẽ deckẽ presenteerdẽ datse ons het lichaem ofte gebeente soudẽ wijsẽ seyden de wolf heeft het Ɣslondẽ ẽ het Zant of water heeft het gebeente bedeckt vondẽ ten laetsten de gieckhaeck met eẽ kort ent houts

Translation:

theless, we rowed thither afterwards in the wind, and when we came there we went along the shore for at least three Dutch miles and found the sloop partly covered by the sand; all the side boards we found cast upon the beach, and here and there a piece of the deck and pieces of the sloop and boards and the windlass lay about an hour's walk from the wreck, which lies lengthwise against the shore, but we have not been able to find any dead bodies or bones. The people of Bocquetenorton said that they had [not seen] the dead body, but said that the Indians had said that the wolf had already devoured it, which the Indians told us also when we offered them ten fathoms of seawant and a blanket to show us the body or bones. They said: "The wolf has devoured it and the sand or water has covered the bones" At last we found the boom

[1] Original mutilated.

noch in het het welck wij uijt brandẽ ẽ nament mede onderwiel dit geruchte in merrijlandt waer van de gestrande sloep soo hebbense die man Jan deverus van bocquetenorton Jn aparentie genomẽ door dien hij by de wilde waerts geweest sonder kennis van eenẽ Commissaris Als oock een wilde Jonge out ontrent 16 a 17 Jaerẽ de welcke Comfessen dat de wildẽ veel goet haddẽ gevondẽ ẽ geborgẽ maer als na de lord van Merrylandt sijn gesondẽ gewordẽ ẽ ondersocht siende soo Sien deselve wederomme vrij gelaetẽ doẽ wij tot bocquetenorton quamẽ soo waerẽ sij al in preson Ɣvoert ẽ wij ẽ kondẽ bij de wildẽ noch engelse eenich teckẽ hoorẽ of Ɣnemẽ van mast of Zeijl of Touwerck of hoedẽ want wij ẽ hebbẽ niet Cunnẽ vindẽ eenich teckẽ van mast ofte tou doẽ quamẽ wij weder tot bocquetenorton soo ordonneerdẽ ick hendrick drochstraetẽ met ule swensẽ ẽ Jan boeijer

Translation:

Col. MSS. 20:10 (NYSL) Dutch

hook with a short piece of wood still in it, which we burned out, and took it with us. Meanwhile, the rumor of the stranded sloop having spread in Maryland, they apprehended the man Jan Deverus, of Bocquetenorton, because he had been among the Indians without the knowledge of a commissioner, and also an Indian youth, of about 16 or 17 years, who confessed that the Indians had found and secured a great quantity of goods; but when they were sent to the lord of Maryland and examined, they were set free again. When we came to Bocquetenorton, they had already been put in prison, and neither among the Indians nor the English could we learn or obtain any information as to mast, sail, rigging or yard covers; nor could we find any sign of either mast or rigging. As soon as we returned to Bocquetenorton I ordered Hendrick Drockstraeten, together with Ule

[1671 March N. S.]

Col. MSS. 20:10 (NYSL) Dutch

[1671 March N. S.]

datse Weder na de Wilden soudẽ gaen ẽ leverẽ het Volck op het geene noch onder haer mochte wesẽ ẽ 't goet dattse noch haddẽ ẽ ick Ÿtrock van daer na Manockẽ om te Ÿnemẽ hoe het met de gevangenẽ mochte afloopẽ door dien de spracke waer dat de Wilden de Cristẽ mochte Ÿmort hebbẽ als ick nu daer quam soo vont ick de gevangenẽ maer daer wiert in Cort noch geẽ Court gehouden soo Ÿtrock ick weder 't huys Waert maer heb Ÿstaẽ datse sijn oÿ gevoert na petoxsen maer weder in vrijhz gestelt

[?] feb ẽ quam doẽ weder 't huijs Jan Boeyer met ule swensẽ ẽ Hendrick bleef noch bij de Wildẽ ẽ dẽ 24 feb Ÿtrockense vanhier na Nij Castel en dieselve dach quamẽ 2 wildẽ met goet van Sackamock de welcke dito Hendrick door dreygementẽ hadde becomẽ dẽ 26 feb quam dito Hendrick self met noch meer goet en dewiel Jn merrijlandt ẽ alhier ter

Translation:

Swensen and Jan Boeijer, to go again to the Indians to make them deliver up the people, who might still be among them, and the goods which they yet had, and I went from there to Manocken to find out what became of the prisoners, for there was a rumor that the Indians might have murdered the Christians. When I arrived there, I found the prisoners, but no court was to be held soon and I, therefore, started for home. I understand that they were taken to Petoxen and have been set at liberty again.

The [?] of February I came home. Jan Boeyer with Ule Swensen and Hendrick remained yet among the Indians, and the 24th of February they went from here to New Castle, and the same day two Indians came from Sackamock with goods, which the said Hendrick had obtained by threats. The 26th of February the said Hendrick came himself with

plaetse Ꝟmoet wierde dat het volck van Jan de Capers sloep moechte Ꝟmort sijn soo heb wij majestraetē alhier ter plaet[se] eē Injurije belegt

Translation:

more goods, and inasmuch as it is believed, in Maryland as well as here at this place, that the crew of Jan de Caper's sloop may have been murdered, we, the magistrates of this place, have summoned a jury.

Col. MSS. 20:10 (NYSL) Dutch

[1671 March N. S.]

Endorsed:

A Relacon from the Whore Kill about Jan de Capres sloope.

1670.[1]

[Verdict of Jury at the Whorekill concerning Jan de Kaper's vessel.]

Col. MSS. 20:10 (NYSL) Dutch

Dit sy Condich wie het mach Concerne dat nademael daer was eē suspitie dat de persoonē van Jacht de Jonge prins van Ny Jorck mocht: wesen Ꝟmort dewiel sy waerē gestrant ontrent Jnketeck Inlaet Wij majestraetē vande Hoerkil niet Conden de waerhz Ꝟnemē resolveerdē in ons ē voor de Extutution [*sic*] van Justitie hebbē dē eerstē dach

Translation:

Be it known to all whom it may concern, that whereas there was a suspicion that the persons of the sloop *de Jonge Prins* of New York might have been murdered, while they were stranded near Jnketeck Inlet, We, the magistrates of the Hoerkil, not being able to learn the truth, deliberated at our meeting, and for the execution of justice convened on

1671 March 1 N. S.

[1] Or 1670–1671.

Col. MSS. 20:10 (NYSL) Dutch

1671 March 1 N. S.

van mart 1671 Ÿsamelt eẽ somma van Twalf vande principaelste mannẽ deser plaetse belangende een weynich goet dat is gesalveert bij de Jndianẽ van Nassawam ẽ alhier gecomẽ ẽ om te Examineerẽ getuijgenis concerning deselve Verdite is als volgt

Dat het selve weynich geseyde goet deselve doẽ vindẽ dat het he[ef]t nat geweest van sout water ẽ dat bij de Evidences ẽ Consideratie van andre Cacanstantes [*sic*] en deselve Ÿmoeden is dat het Jacht is geblevẽ in Zee ẽ het Volck Ÿdronckẽ ẽ niet vermoort

Helmanis fr Wiltbanck Croner
James weedon forman
Jan michiels
pieter gronendick
Antony hansen
pieter hansen
Jacobus klasen
Arian hermsen
Herman Cornelissen
John rods

Translation:

the first day of March 1671 the number of twelve of the principal men of this place, in order [to examine] a small quantity of goods which has been saved by the Indians of Nassawam and brought hither, and to consider testimony concerning the same;

The verdict is as follows:

They find that the said small quantity of goods had become wet with salt water and that, upon the evidences and consideration of other circumstances, their opinion is that the sloop kept asea and that the crew was drowned and not murdered.

Helmanis Fr Wiltbanck Coroner
James Weedon Foreman
Jan Michiels
Pieter Gronendick
Antony Hansen
Pieter Hansen
Jacobus Klasen
Arian Hermsen
Herman Cornelissen
John Rods

Col. MSS. 20: 10 (NYSL) Dutch

Tomas davie
Thomas skidmor
Willem klasen

Helmanis Fr Wiltbanck [1]

Translation:

Tomas Davie
Thomas Skidmor
Willem Klasen

1671 March 1 N. S.

Helmanis Fr Wiltbanck

C. A. 2: 664 (NYSL)

Certaine Instructions from ye Governr to Captn Martin Creiger (being bound to ye Whore Kill.) March 17th 1670.

1670/1 Mar. 17

Inprimis.

You are to bring mee an Acco^{t} of the encrease or decay of the Inhabitants there, & whether any new ffamilyes are resolvd to settle here under ye protection of his Royall Highness.

You are to give mee an Acco^{t} w^{t} ye Civill Offic^{rs} are, & whither ye Scout is to be alterd this next ensueing yeare, and that ye person to Succeed be recommended to mee, whom I will Authorize for 2 yeares next ensueing.

To enquire concerning those Indyans that murder'd John de Capers people, & to lett mee know under what Jurisdiction they live.

To bring ye Mill Stones wth their Appertenances with you, unless ye Inhabitants have need of them; and agree with you for them in p^{r}sent Pay; This to be profferd to Mr Mills first.

To remoove the Customes, & to restore them to their Auncient Liberty.

March. 17. 1670.

Franc: Lovelace.

[1] In a duplicate of this document in *Col. MSS.*, vol. 20, p. 12, there are a few variations, the principal of which are: Nassaawaam, in the body of the text; and Arian Hermens, Thomas Davies, in the list of jurors.

Col. MSS. 20: 18 (NYSL) Dutch

1671 Mar. 30

[Inventory of Peltry, etc., saved from Jan de Kaper's Sloop.]

[E]kstract [u]it de [P]rotocolle.

Inventaris van pelterij die geburgẽ sijn

W't het Jaght van Jan de kaper dat Ꝟongel[uckt] js ẽ zijn aẽ de meest biedende Ꝟkoght te weetẽ aẽ Monr Hendrick Cousturier ẽ zijn deesẽ

15 heele beevers a 20 gl: 't stuck.....f 300—//
14 kleijne beevers a 15 gul: 't stuck.....f. 210—//
6 Otters ẽ 12 katlossẽ ẽ 7 vissers
3 vossẽ 1 Wolf eẽ last beever ẽ
4 halve beev al' te samẽ voor.....f 200—//
Nogh aẽ seuant twee ẽ 't negentigh gul:.....f. 92—//

beloopt te samẽ de somma.....f 802—//

Dies sal Monr Hendrick Cousturier betalẽ aẽ Harmanes freedricks 13 el duffels a 12 gul: d' el beloopt.....f 156—//
nogh voor eẽ gesp kruijt ẽ eẽ mes te samẽ.....f —6—//
Nogh aẽ Harmẽ Cornelisz. 2 ẽ ¾ el duffels a 12 gl:
d' el beloopt.....f –32—//
'twelck sij hebbẽ aẽ de wilde gegeevẽ tot eẽ schenckadie voor de voorsz: goederẽ die sij bekoomẽ hebbẽ

Actum Nieu Castel
Den 30 Maert Aº 1671
Acordeert Met de
Protocolle

Matt: De Ringh
Klercqꝑ

Col. MSS. 20: 18 (NYSL) Dutch

1671 Mar. 30

Translation: Extract from the Protocol

Inventory of peltries which were rescued from the wreck of the sloop of Jan de Kaper, and which were sold to the highest bidder, to wit, to Mr. Hendrick Cousturier, as follows:

15 whole beavers @ 20 guilders a piece.....f 300—//
14 small beavers @ 15 guilders a piece.....f. 210—//
6 otters, 12 cachalots, 7 fishes,
3 foxes, 1 wolf, one last of beavers and
4 half beavers, all together for.....f 200—//
Also, in seawant, ninety-two guilders.....f. . 92—//

Amounts together to the sum of .....f 802—//

Mr. Hendrick Cousturier, therefore, shall pay to Harmanes Freedricks 13 els of duffel @ 12 guilders an el, amounts to .....f 156—//
Also, for a buckle, powder and knife, total.....f 6—//
Also, to Harman Cornelissen $2\frac{3}{4}$ els of duffel @ 12 guilders an el, amounts to.....f 32—
which they gave to the savages as a present for the aforesaid goods which they secured.

Done at New Castle
the 30th of March Aº 1671
Agrees with the Protocol.

Matt: De Ringh
Clerk

Endorsed: An Inventory of the
Peltry &c saved out of
Jan de Capres sloope
—1670.

[35]

C. A. 2:693 (NYSL)

Łre from y^e^ Governo^r^ to y^e^ Governo^r^ of Mary-Land.

Hon^ble^ S^r^

1671 May 22

In y^e^ first place I congratulate yo^r^ happy & safe Returne from Europe (together w^th^ yo^r^ Ladyes, and all yo^r^ Relac̃ons) into Maryland, where may yo^r^ Continuance be never Interrupted by any synister Accident either publique or private. Next, I am importun'd by y^e^ surviveing Parents of those unfortunate Children (M^r^ Courtree, & John y^e^ Caper, y^e^ first looseing one, & the latter 3 Sonns) to begg you to compassionate their Condic̃on, and to afford them yo^r^ best assistance to y^e^ Recovery of some of their Sonns, out of y^e^ hands of their cruell & barbarous Indyan Possesso^rs^, in whose Custody they heare (& w^th^ some assurance) they remaine still unmurtherd. All y^e^ Inquisic̃on has been made from Delaware after them that may bee, but in regard of the remoteness of Place, & want of Power sufficient to compell y^e^ Natives to a cleere confession, little of moment has been perform'd to the satisfaction of y^e^ Truth; And as it lyes now in yo^r^ Power (y^e^ Scene where that tragicall Action hap'ned being in yo^r^ Dominions,) Soe likewise wee all rest assured you will afford us yo^r^ best assistance to y^e^ detection of soe horrid an Usage committed on those Christians and Subjects to his Ma^tie^

All y^e^ Light wee can discover as yet is, that in Jan^ry^ (upon informac̃on) one Henry y^e^ Baker, alʒ Trowstat, repaired to Finquakin an Island on the Sea-Coast in yo^r^ Confines, but could discover little; In ffebruary upon fresh Intelligence hee made another Journey thither accompanyed with two others, viz^t^ John Bowyer & Oloff Swans a Swede, where (after great difficulty) they arriveing at y^e^ same place, upon more diligent Search found at last, y^e^ Boate belonging to y^e^ Sloope w^th^ two Oares in it, & a Chest, but saw noe humane Creatures either

civill or savage, & return'd with this Relacõn, since w^ch^ a fresh Reporte is arriv'd that some of y^e^ Company was murther'd & some of y^e^ Youths p^r^serv'd alive It being Customary to those Natives to treat Youth w^th^ more Tenderness; Thus farr wee have trac'd the sad Catastrophe of that Sloope; It now remaines that you will vouchsafe to proceed to a full Discovery what is become of y^e^ surviveing Children, whose Parent not onely w^th^ Teares Supplicats yo^r^ generous Assistance, but will likewise w^th^ all y^e^ demonstracõns of Gratitude compensate what Expence you shall putt yo^r^ selfe or others to, in y^e^ compleating a full assurance, either of their Joy or Misery. Thus referring this Affaire to yo^r^ Hon^ble^ & worthy Consideracõns I take my Leave of you w^th^ all respect of being

C. A. 2:693 (NYSL)

1671 May 22

S^r^

Yo^r^ very humble & affec^te^ Servant

Fran: Louelace

New Yorke
May 22^th^ 1671:

C. A. 2:707 (NYSL)

An Ord^r^ about y^e^ Goods y^t^ were cast on shore by Ship-wrack out of y^e^ Sloope, *Prince of Orange.*

1671 June 1

Whereas I am given to understand that some of y^e^ Goods shipt on Board y^e^ Sloope y^e^ Prince of Orange, w^ch^ was y^e^ last yeare unhappily lost by Ship-wrack or otherwise, as shee was bound from New Castle in Delaware River to this Porte, were cast on shore, or by some other meanes saved by y^e^ Indyans, & are now secured in y^e^ Towne of New-Castle; To y^e^ end it may the better be knowne & Discovered to whom such Goods doe of Right belong; These are to Authorize & require you, that w^th^ y^e^ first Opportunity of a Vessel

C. A. 2: 707 (NYSL)

1671 June 1

to come from those parts hither, you cause y^e^ said Goods to be shipt on board for this Place; you takeing an Inventory thereof, where Care shall be taken for their Disposall according to Equity & Justice. Given under my Hand at fforte James in New Yorke this first day of June 1671.

[Francis Lovelace.]

To Capt^n^ Carr, & y^e^ rest of y^e^
Offic^rs^ at New-Castle in
Delaware-River.

No. XLVI.

ALBANY — FARMING OUT OF TAPPERS EXCISE.

G. E. 4: 282 (NYSL)

Some Orders made by Governo^r^ Lovelace, when hee was at Albany in An^o^ 1671.

1671 Aug. 2

Whereas for the Well-Governm^t^ and holding of Courts of Justice in this Towne for the Inhabitants thereof, as also of the Colony of Renzlaers-Wijck, Schanechtide, & parts adjacent, as well as Strangers, there have been annually Elected two Commissaryes for this Towne & Schanechtide, & two more for Renslaerswijck to supply y^e^ places of two others in each place that are dismist, and to bee joyned to one of each Place that reamines in making all together the Number of 6 Com̃: besides the Schout: And I being informed That those Commissaryes who are Elected for Renslaerwijck, either by reason of the distance of their Habitation from the Towne, or their other Occasions are often absent when they are appointed to meet, soe that noe

Court can then bee held, to the great dissatisfaction of those who have Busynesse, and give their Attendance there; I have by & with the Advice of my Councell thought fitt to Order & Appoint, & by these presents doe Order and Appoint that one person more bee annually added for the Towne of Albany, & y^e^ same Number as formerly to continue for Renslaerswijck, whereby upon all Occasions their Courts may the more regularly bee held, and noe Obstruction bee putt to the due Proceedings of Justice. Given under my hand and Seale at ffort Albany the 2^d^ day of August in the 23^d^ yeare of his Mã^ties^ Reigne, Annoq^e^ Domini 1671.

ffran: Louelace.

G. E. 4:282 (NYSL)

1671 Aug. 2

[Order for a Court at Albany.]

Memorand^m^ It is likewise Ordered & Appointed That for the better Dispatch of Busynesse, The Presid^t^ w^th^ any three of the Commissaryes shall bee a Court to decide & determine all Cases which shall come before them.

G. E. 4:284 (NYSL)

1671 Aug. 2

Thomas De Lavall empowered to determine such Busyness at Albany as was left undone by the Governo^r^ &c:

G. E. 4:283 (NYSL)

Whereas although most Busynesse of Concerne in this place hath been heard & debated before mee during my being here and severall Orders made there-upon, but my Occasions calling mee back to New Yorke, and you making some Stay behinde mee, there being some other Matters left undetermined; These are to Authorize & Appoint you to take Cognizance of all such Matters, whether relating to the Publick, or of private Concerne, and to give such Order therein

1671 Aug. 2

G. E. 4:283 (NYSL)

as you shall finde most expedient and suitable to Justice & Equity; Of which you are to render mee an Acco^{t} at yo^{r} Returne: And for what you shall Act or doe herein, This shall bee yo^{r} Warrant. Given under my hand at ffort Albany this 2^{d} day of Augst 1671.

1671 Aug. 2

Fran: Lovelace.

To Cap^{t} Thomas Delavall.

G. E. 4:28 (NYSL)

Recorded for Capt^{n} Thomas De La-vall, concerning his ffarming out y^{e} Excise at fforte Albany.

1671 Aug. 6

Whereas y^{e} R^{t} Hoñ^{ble} Coll: Francis Lovelace by his Warrant Dated y^{e} 2^{d} Day of August 1671 here in Albany hath Empowered mee to take Cognizance of all Matt^{rs} relateing to y^{e} Publique or private Concernes, and by his former Order to me in particular concerning y^{e} Letting to ffarme y^{e} Grand Excize of Beer and Wine, and according to y^{e} ffore-goeing Orders I did Demand of Johannes Provost if hee would have y^{e} Excize at y^{e} same Rate hee had it y^{e} last yeare in p^{r}sence of Capt^{n} Schijler, Stephanus van Cortlandt and others, his Answer was hee could not; then I told him I would discharge him from that day if hee would; hee seemed to be content, whereupon immediately I lett it out to Martin Crieger Jun^{r} for y^{e} same Rate hee paid, w^{ch} was 6600 Guild^{rs}, for y^{e} ensueing yeare, and to begin y^{e} 25th Day of July, and to pay to y^{e} said Provost pro Rato untill y^{e} 5th of August, as hee had done in y^{e} yeare 1669. His Hono^{rs} comeing up was the Occasion I did not putt Martin Creiger into Possession at y^{e} time of the ffarme being then expired; but soe soon as the Governo^{r} was departed from this Place being y^{e} 28th of July, Martin Creiger demands y^{e} Contract made wth mee to have y^{e} ffarme from y^{e} 25th day of July, but his Hono^{r}

being willing to Accomodate Provost, would not make any Dispute, but told Martin Crieger hee should have ye ffarme from ye 5th day of August 1671. untill ye 16th of August 1672; and at ye same Rate, in Consideracõn of ye Loss hee sustaines in not haveing ye ffarme from ye 25th day of July; and to Avoid Disputes for ye future did Agree with ye said Martin Crieger Junr to hold ye ffarme from ye 16th of August 1671. untill ye 26th of October 1672; and to pay Twelve hundred Guildrs more; Soe that the ffarme is now lett for th'ensueing yeare for Seaven Thousand Eight hundred Guildrs. Martin Creiger complaining ye best of ye time was past, & that hee thought hee should have paid noe more then pro Rato as Provost had done; Now by Vertue of my aforesaid Comissions or Orders to mee, I doe by this Lett ye said Grand Excize unto you Martin Crieger Junr from ye 5th of this prsent August 1671, untill ye 26th of October next ensueing, wch will be in ye yeare of or Lord 1672. with all ye proffitts & Benefitts thereunto belonging, And to all Intents & Purposes to enjoy it wth all ye Priveledges yor Predecessors had, or any before you in ye like Manner; And ye said Contract I doe engage shall be Confirmed by ye Hond Coll ffrancis Lovelace. In performance hereof I have hereunto sett my Hand this 6th Day of August 1671.

G. E. 4:28 (NYSL)

1671 Aug. 6

[Thomas Delavall.]

ffor ye Sume of 7800. Guildrs.

The Governors Confirmacõn of ye Agreemt betwixt Capt Delavall & Martin Creigr Junr touching ffarming out ye Grand Excize at Albany.

G. E. 4:30 (NYSL)

Whereas I did Entrust & Empower Mr Thomas Delavall Mayor of this City, and one of ye Councell to Lett to ffarme

1671 Sept. 14

G. E. 4:30 (NYSL)

1671 Sept. 14

y^e^ Grand Packt or Excize of Beere and Wine at Albany for y^e^ yeare ensueing, y^e^ w^ch^ accordingly hee hath done by Agreem^t^ w^th^ Martin Crieger Jun^r^ That hee shall hold y^e^ said Grand Packt or Excize or Wine & Beer w^th^ all y^e^ Proffitts and Benefitts thereunto belonging from y^e^ time of y^e^ Expiracõn of y^e^ Terme for w^ch^ it was lett to David Provost (being y^e^ 5^th^ day of August) untill y^e^ 26^th^ day of October 1672; Hee y^e^ said Martin Creig^r^ paying for y^e^ same y^e^ Sum̃e of Seaven Thousand eight hundred Guild^rs^ Seawant, w^ch^ is 6600 guild^rs^ y^e^ Sum̃e it was lett for y^e^ last yeare, & 1200 Guild^rs^ more in consideracõn of y^e^ time over & above y^e^ yeare; I doe by these p^r^sents Allow of, Ratify, & Confirme y^e^ said Agreem^t^ made by M^r^ Delavall w^th^ y^e^ s^d^ Martin Crieg^r^, that hee hold & enjoy y^e^ said Grand Packt or Excize w^th^ all y^e^ Proffitts and Benefitts thereunto belonging for y^e^ time and Terme, and for y^e^ Sum̃e afore-menc̃oned. Given under my Hand &c: this the 14^th^ Septemb^r^. 1671.

[Francis Lovelace.]

No. XLVII.

LONG ISLAND — TROOP OF HORSE OF NORTH AND WEST RIDINGS OF YORKSHIRE.

C. A. 2:600 (NYSL)

1670 Oct. 24

Gentlemen

Having this last yeare setled a Militia of Horse in y^e^ West Ryding of Long Island, wherein I mett w^th^ all y^e^ Concurrance of those that would voluntarily list themselues as Troopers, w^ch^ resolutions as I look't upon them as proceeding from y^e^ desires they had to put themselues into such a

C. A. 2 : 600 (NYSL)

1670 Oct. 24

posture of Discipline as is conceiu'd will most tend to y^e^ p^r^servation of y^e^ Country in safety & quiett not onely against intestine troubles but likewise of y^e^ Insolence of y^e^ Indians (if any such occasion should happen) so likewise I thought it my duty to represent this their Cheerfull obedience to his Royall Highnesse who not onely approved of this manner of framing a Troop but likewise that y^e^ rest of y^e^ Island should follow so servisable an Example, I cannot therefore but recom̃end this to yo^r^ Care & managem^t^ & would desire yo^u^ at some Convenient Season before y^e^ Springe to Assist Capt^n^ Younge in Listing & inrowling such Volunteers as will engage in that Imployment, & y^t^ w^th^ y^e^ best oppertunity you send me up a List of them, I have Constituted him to be y^e^ Captaine, for y^e^ oth^r^ Subordinate officers I leaue to y^e^ free Elections of such as y^e^ Major P̃te of y^e^ Troop will nominate, of w^ch^ They are to retorne a double Choice, & then out of them I shall appoint such as I conceiue most proper by Comissionating them in their Charge. In y^e^ Springe Season I purpose to be w^th^ yo^u^ & view y^e^ Generall appearance both of Horse & foot, not doubting in y^e^ least, to fynde y^e^ Militia in such a posture as is fitt for y^e^ end it is designed for; I would not willingly beleiue some haue beene so indiscreet as to discountenance oth^rs^ from listing themselues, unlesse by scattering a Jealousy amongst men onely to fitt them for more desperate & Impious undertakings, but I shall insist no more on that P̃ticuler till I am convinc't by y^e^ Sequell, In y^e^ meane tyme I expect yo^r^ chearfull concurrance to this my ord^r^ & promoting a Cherfull complyance of such as are quzlifyed for that Imploym^t^ I haue no more but to Assure yo^u^ that I am

Yo^r^ very Loving freind

Fr: L.

Fort James 24^th^ of Octob^r^ 1670.

C. A. 2:690 (NYSL)

The Governo^{rs} Ord^{r} to y^{e} Troope about choosing them Offic^{rs}.

1671 May 18

Whereas Proposalls & Request hath been made unto Mee by some of y^{e} Offic^{rs} and others in y^{e} behalfe of y^{e} Troope of Volunteers that they being destitute of a Captaine & Lievten^{t} to Command their Troope at y^{e} Gen^{ll} Trayning, where they are in short time Commanded to give their Attendance; Vpon mature Deliberac̃on & Advice had hereupon, I doe thinke fitt to recom̃end unto y^{e} s^{d} Offic^{rs} & Troop^{rs} that they make choice of Three persons for Capt^{n}, two for Lievten^{t}, & 2 for Cornett; & speedily returne y^{e} Denominac̃on of them unto mee, out of w^{ch} Number I shall constitute & Appoint one of each to be y^{e} chiefe Officer of y^{e} Troope who shall have my Commission by Authority of his Royall Highness for y^{e} same; Given under my Hand at fforte James in New Yorke this 18th day of May 1671.

[Francis Lovelace.]

To M^{r} Thomas Willett Cornett to be Com̃unicated to y^{e} rest of the Troop at their Meeting-together To-Morrow being y^{e} 19th instant.

C. A. 2:697 (NYSL)

Ordered that Capt^{n} Nicolls, Tho: Willett, Elias Doughty, & Tho: Wandall be Offic^{rs} to y^{e} Troop.

1671 May 22

Whereas according to my Ord^{r} of the 13th [1] of this instant Month, that Election should be made by y^{e} Troope of Volunteers of their Captaine, Leivten^{t}, & Cornett by returning y^{e} Names of three Persons for Captain, & two a piece for Lievten^{t} & Cornett, w^{ch} accordingly hath been done, &

[1] This should be "18th."

their Names returned unto mee, Out of y^e^ Number soe returned I have thought fitt to Nominate & Appoint Matthias Nicolls to be Capt, Thomas Willett to be Lievten^t^ & Elias Doughty to be Cornett of y^e^ said Troope, & also that Thomas Wandall who was Eldest Corporall be Quart^r^-Mast^r^, for y^e^ w^ch^ they shall have their severall Comissions. In y^e^ meane time this my Resolucon is to be Comunicated to y^e^ Troope in Generall, who are ordered to give their Attendance at y^e^ fferry on Wednesday by three — — a Clock, where they shall receive further Orders. Given under my Hand at fforte James in New-Yorke this 22^th^ day of May. 1671.

[Francis Lovelace.]

C. A. 2: 697 (NYSL)

1671 May 22

Commission for Capt^n^ Matthias Nicolls to be Captaine of the Troope of Volunteers upon Long Island.

C. A. 2: 698 (NYSL)

Francis Lovelace Esq^r^ Governo^r^ Gen^ll^ under his Roy^ll^ Highn^s^ James Duke of Yorke & Albany &c: of all his Territoryes in America.

1671 May 22

To Matthias Nicolls. Capt^n^

By Vertue of y^e^ Comission & Authority unto mee given by his Royall Highness I have Constituted & Appointed, & by these Presents doe hereby Constitute & Appoint you Matthias Nicolls to be Captaine of a Troope of Horse Lysted or to be Lysted within y^e^ North & West Rideings of Yorkshire upon Long Island or parts adjacent as a Troope of Volunteers; you are to take into yo^r^ Charge and care y^e^ said Troope as Captaine thereof; & duely to Exercise both yo^r^ inferiour Officers & Souldiers in Armes, & to use your best Care, Skill, and Endeavour to keep them in good Order & Discipline. Hereby requireing all inferiour Offic^rs^ and

C. A. 2:698 (NYSL)

Souldi[rs] under yo[r] Com̃and to obey you as their Captaine; & you are likewise to observe & follow such Orders & Directions as you shall from time to time receive from mee or other yo[r] superiour Offic[rs] according to y[e] Discipline of Warr. Given under my Hand & Seale at fforte James in New-Yorke. this 22[th] day of May 1671.

1671 May 22

[Francis Lovelace.]

C. A. 2:699 (NYSL)

Commission for M[r] Thomas Willett to be Lievten[t] of y[e] same Troop.

1671 May 22

Francis Lovelace Esq[r] One of the Gentlemen of his Ma[ties] Hon[ble] Privy Chamb[r], & Governo[r] Geñ[ll] under his Roy[ll] Highness, James Duke of Yorke & Albany &c: of all his Territoryes in America.

To Thom: Willett Lievten[t]

By Vertue of y[e] Commission & Authority unto mee given by his R: H[s] I have Constituted & Appointed & by these p[r]sents doe hereby Constitute & Appoint you Thomas Willett to be Lievten[t] of a Troope of Horse Lysted or to be Lysted w[th]in y[e] North & West Rideings of Yorkshire upon Long Isl[d] or parts adjacent w[th]in this Governm[t], as a Troope of Volunteers, whereof Matthias Nicolls is Captaine. You are to take into yo[r] Charge & Care y[e] said Troope as Lievten[t] thereof, & duely to Exercise both y[e] inferiour Offic[rs] & Souldiers in Armies, & to use yo[r] best Care, Skill, & Endeavour to keep them in good Order & Discipline; Hereby requiring all inferio[r] Officers & Souldiers und[r] yo[r] Com̃and to obey you as their Lievtan[t]; And yo[u] are likewise to observe & follow such Ord[rs] & Directions as you shall from time to time receive from mee or other yo[r] superio[r] Offic[rs] according to y[e] Discipline of Warr. Given under my Hand and Seale at fforte James in N: Yorke the 22[th] day of May. 1671.

Fra: Louelace.

Comission for Mr Elias Doughty to be Cornett of ye same Troope. C. A. 2:700 (NYSL)

Francis Lovelace Esqr &c:—
To Mr Elias Doughty Cornt

1671 May 22

By Vertue of ye Comission & Authority unto mee given by his Royall Highness I have Constituted & appointed, & by these prsents doe hereby Constitute & Appoint you Elias Doughty to be Cornett of a Troope of Horse Lysted or to be Lysted wthin ye North & West Rideings of Yorkshire upon Long Isld or parts adjacent wthin this Governmt as a Troope of Volunteers, whereof Matthias Nicolls is Captaine. You are to take into yor Charge & Care ye said Troope as Cornett thereof; & duely to Exercise both yor inferiors Officers & Souldiers in Armes, & to use yor best Care, Skill & Endeavour to keep them in good Order & Discipline; Hereby requireing all inferiour Officrs & Souldiers under yor Comand to obey you as their Cornett. And you are likewise to observe & follow such Ordrs & Directions, as you shall from time to time receive from mee or other yor superiour Officrs according to ye Discipline of Warr. Given under my Hand and Seale at Forte James in New Yorke the 22th day of May. Anno Dñi 1671.

Fran: Lovelace

Commission for Mr Thomas Wandall to be Quarter-Master of ye same Troope — C. A. 2:701 (NYSL)

Francis Louelace Esqȝ &c:—
To Mr Tho: Wandall Quartr-Mastr

1671 May 22

By Vertue of ye Comission & Authority unto mee given by his Royall Highness I have Constituted & Appointed, & by these prsents doe hereby Constitute & Appoint you

C. A. 2: 701 (NYSL)

1671 May 22

Thomas Wandall to be Quart^r-Mast^r of a Troope of Horse Listed or to be Listed w^th^in y^e North & West Rideings of Yorkshire upon Long Island, or parts adjacent w^th^in this Governm^t as a Troope of Volunteers, whereof Matthias Nicolls is Captaine. You are to take into yo^r Charge & Care y^e said Troope as Quart^r Mast^r thereof; And duely to Exercise both yo^r inferiour Offic^rs & Souldiers in Armes; And to use yo^r best Care, Skill, & Endeavour to keep them in good Ord^r & Discipline; Hereby requireing all inferio^r Offic^rs & Souldiers under yo^r Coñand to obey you as their Quart^r-Mast^r. And you are likewise to Observe & follow such Ord^rs & Directions as you shall from time to time receive from mee or other yo^r superiour Offic^rs according to y^e Discipline of Warr. Given under my Hand & Seale at fforte James in New Yorke y^e 22^th^ day of May Anno Dñi 1671.

[Francis Lovelace.]

No. XLVIII.

DELAWARE — NEW CASTLE AND THE WHORE-KILL, PROPOSALS OF CAPTAIN JOHN CARR AND ORDERS THEREON.

Col. MSS. 20: 22 (NYSL)

Some Matters to be tendred to the Consideracon of his Hon^r y^e Governo^r & his Councell touching y^e Towne of New Castle, & Plantacons in Delaware River, now und^r his R: H^s^ Protection & Governm^t.

1671 [June]

That y^e Towne of New-Castle being y^e strength of y^e Riv^r, and only capable to defend it selfe against y^e sud-

dain Violence & Incursion of y^e^ Indians, It's humbly left to Consideracõn, whether y^e^ Inhabitants should not have some more then ordinary Encouragem^t^. As — Col. MSS. 20: 22 (NYSL)

1^rst^ first That a Small Block-House may be erected in some convenien[t] Place of y^e^ Towne, where a Constant Watch may be kept, (now y^e^ fforte is fallen to Ruine & Decay) for their Coñon Defence; the w^ch^ will cost noe great Matt^r^, & may be risen at y^e^ Charge & Expence of y^e^ Inhabit^ts^ of y^e^ Towne, & Plantacõns upon y^e^ Riv^r^, who will not be backwards (if any Order shall be issued forth for it) in contributing towards y^e^ same. — 1671 [June] graunted

2^ly^ That noe Sloope or Vessell from this or any other place comeing to traffick or trade there be permitted to goe up y^e^ River above y^e^ Towne (w^ch^ hath of late been only tol[er]ated, for that it will probably be y^e^ ruine of y^e^ place (if continued,) all Trade deserting them; & those that goe up receiving ready paym^t^ in Peltry or Corne for their Liquo^rs^ w^ch^ they sell by Retaile with y^e^ small Measure, or for their petty Wares, y^e^ Inhabitants can neither be paid for what formerly hath been due to them; nor shall be capable of getting a Livelyhood hereafter. — graunted— not to trafick:

3^ly^ That y^e^ distilling of Strong Liquo^rs^ out of Corne, being y^e^ Cause of a great Consumption of that Graine, as also of y^e^ Debauchery & Idleness of y^e^ Inhabitants, from whence inevitably will follow their Poverty & Ruine, bee absolutely prohibited or restrayned. — X

[4]^ly^ That y^e^ Number of Victuall^rs^ or Tappers of strong Drinke bee ascertained; That is to say, Three only for y^e^ Towne, & some few up y^e^ River, who y^e^ Offic^rs^ shall thinke fitt to approve of, & noe more then will be found convenient, who may have Lycense to doe — granted

Col. MSS. 20:22 (NYSL)

y^e^ same; whereby Disorders will be prevented & Travell^rs^ have bett^r^ Accomodac̃on.

1671 [June] granted

5^ly^ That Constables may be appointed to keep y^e^ Kings peace, who shall have Staves w^th^ y^e^ Kings Armes upon them, as is practised in y^e^ rest of these his royall Highness Dominions.

granted

6^ly^ That they may have y^e^ Kings Armes to be sett up in their Courts of Judicature, as well as on y^e^ Staves, the w^ch^ they will bee at y^e^ charge of themselves.

X

7^ly^ That what Land y^e^ Office^rs^ there have made Grants of for New Plantac̃ons (being waste implanted Land) & y^e^ w^ch^ They had Encouragem^t^ to doe by yo^r^ Hono^rs^ Predecesso^r^, & never had Order to y^e^ contrary, may be Confirmed, There being generally Care had for a Moderac̃on therein.

granted

8^ly^ That severall Ord^rs^ past at and about y^e^ time of y^e^ Tryall of y^e^ Long ffinn, as well about Publique Charges, as y^e^ Whore-Kills haveing Offic^rs^ subordinate to those of New-Castle, as also for clearing y^e^ High-wayes, maintaining ffences, & other Matt^rs^ relateing to y^e^ Well-Governm^t^ of that place be reinforced by yo^r^ Hono^rs^ approbac̃on.

9^ly^ That whereas their Neighbo^rs^ of Maryland have made Offer to cleare y^e^ one halfe of y^e^ way between M^r^ Augustine Harmens Plantac̃on, & y^e^ Towne of New-Castle, an Order may be issued forth that those of Delaware should Cleare y^e^ other halfe next to them, y^e^ w^ch^ will be noe great Labour or Charge, & may prove of great use & Benefit for Travelling & Commerce.

granted & the laws in that case atted.[1]

10^ly^ That some Person may be appointed & Sworne at y^e^ Towne of New-Castle to be Corne-Meeter, who may not only see y^e^ Corne duely measured, but p^r^vent the

[1] Meant for "attended."

sending thereof abroad soe fowle, by ordering it to be well Cleansed; And also that y^e^ said Offic^r^ have an Inspection, & doe View their Beefe & Porke that it be well packt & merchantable. Col. MSS. 20:22 (NYSL) 1671 [June]

11^ly^ That there being a Mill, or most (if not all) the Appertenances thereunto belonging, up Delaware River at y^e^ Carcoons Hooke, w^ch^ did heretofore appertaine to y^e^ Publique, & now is Endeavour'd to be engrossed by some particular persons for their private use; It may be recommended to be taken into his Royall Highness, or his Deputyes hands; by w^ch^ some Benefitt will accrew, & being kept in good Repaire will be of a publique & Gen^ll^ Good to y^e^ Inhabitants. graunted—the spare mill stones preserved & to bee let out, the profit to sarve publick, untill farther ord^r

12^ly^ That noe Quantityes of Liquo^rs^ be sold to y^e^ Indyans under a Quarter of an Ancker, halfe, or a whole Ancker. X

13^ly^ That y^e^ Houses in y^e^ fforte being soe greatly decay'd, as they cannot stand long, their Tiles, Brick, Iron, & other Materialls may be taken downe in time, & preserved for y^e^ building a New House in their Roome, when opportunity permitts. granted

That they may bee acquainted by what tenure
They held their land.

On verso:

Proposalls from Capt.
Carr concerning Delaware

Endorsed:

Capt: Cars Proposalls.
1671

[36]

C. A. 2:713 (NYSL)

Proposalls from Delaware.[1]

Some Matt^rs to be tendred to y^e Consideracõn of his Hono^r y^e Governo^r, & his Councell touching y^e Towne of N: Castle & Plantacõns in Delaware River, now under his R: H^s ꝓtection & Governm^t.

[1671 June] That y^e Towne of New Castle being y^e strength of y^e River, & only capable to defend it selfe against y^e suddain violence & Incursion of y^e Indyans, It's humbly left to consideracõn whether y^e Inhabitants should not have some more then ordinary Incouragem^t.

1. As First that a Block-House may be Erected in some convenient place of y^e Towne where a constant Watch may be kept (now y^e fforte is fallen to ruine & Decay) for their common Defence, y^e w^ch will cost noe greate Matter, & may be risen at y^e Charge and Expence of y^e Inhabit^ts of y^e Towne and Plantacõns upon y^e River, who will not be backwards (if any Order shall be issued forth for it) in contributing towards y^e same.

2. That noe Sloope or Vessell from this or any other place comeing to traffique or trade there be permitted to goe up y^e River above y^e Towne, w^ch hath of late been only soe tolerated; for y^t it will ꝓbably be y^e ruine of y^e Place if continued, all Trade deserting them, & those

3. That goe up, receiving ready paym^t in Peltry or Corne for their Liquo^rs, w^ch they sell by Retayle w^th y^e small Measure, or for their Petty-wares y^e Inhabit^ts can neither be paid for what formerly hath been due to them, nor shall be capable of getting a Livelyhood hereafter.

[1] This recorded copy varies from the fuller and more valuable text in *New York Colonial MSS.*, vol. 20, p. 22, which precedes this one.

C. A. 2:713 (NYSL)

[1671 June]

4. That ye distilling of Strong Liquors out of Corne being ye Cause of a great Consumption of that Graine, as also ye Debauchery & Idleness of ye Inhabitants, from whence inevitably will follow their Poverty & Ruine be absolutely phibited or restrayned.

5. That ye Number of Victuallrs or Tappers of Strong Drinke be ascertayned, That is to say, Three only for ye Towne, and some few up ye River who ye Officrs shall thinke fitt to Approve of, & noe more then will be found Convenient, who may have Lycenses to doe ye same, whereby Disorders will be prvented and Travellers have better Accomodacon.

6. That Constables may be appointed to keep the Kings peace, who shall have Staves wth ye Kings Armes upon them as is practised in ye rest of these his Royall Highness Dominions.

7. That they may have ye Kings Armes to be sett up in their Courts of Judicature, ye wch as well as of ye Staves they will be at ye Charge of themselves.

8. That what Lands ye Officers there have made Grants of for new Plantacons, being Wast implanted Land, & ye wch they had Encouragemt to doe by yor Honors Predecessor, & never had Order to ye Contrary, may be Confirmed, there being generally care had for a moderacon therein.

9. That severall Ordrs past at & about ye time of ye Tryall of ye Long ffinn as well about Publique Charges as ye Whorekill, haveing Officrs subordinate to those of New-Castle, as also for Clearing ye High-Wayes, Maintaining ffences, & other Mattrs relateing to ye Well Governmt of that Place, be reinforced by yor Honors Approbacon.

10. That whereas their Neighbors of Maryland have made Offer to Cleare ye one halfe of ye way between Mr

C. A. 2:713 (NYSL) Augustine Hermans Plantacõn & ye Towne of New-Castle, an Ordr may be Issued forth that those of Delaware should Cleare ye other halfe next to them, the wch will be noe great Labour or Charge, & may prove of great use and Benefitt for Travelling and Commerce.

[1671 June]

11. That some person may be appointed & sworne at ye Towne of New Castle to be Corne-Meeter, who may not only see ye Corne duely measured, but prevent the sending thereof abroad soe fowle by ordering it to be well Cleansed, & also yt ye said Officr have an Inspection, and do view their Beefe & Porke that it be well packed, and merchantable.

12. That there being a Mill, or most if not all ye Appertenances thereunto belonging up Delaware River at ye Carcoons Hooke, wch did heretofore appertaine to ye publique, and now is Endeavoured to be Engrossed by some particular persons for their private uses may be recomẽnded to be taken into his Royall Highness or his Deputyes hands, by wch some Benefitt will accrew, and being kept in good Repaire, will be of a Publiqꝑ & Generall Good to the Inhabitants.

C. A. 2:717 (NYSL)

At a Councell held at Forte James in New Yorke ye 14th day of June in ye 23d yeare of his Maties Reigne Annoqꝑ Dñi. 1671.

1671 June 14

In answer to ye Proposalls deliver'd in by Captaine John Carr, ye Governor & Councell doe give their Resolucõns as followeth.— vizt——

1. As to ye first Branch, ye Inhabitants of ye Towne of New-Castle may assure themselves of all due Encouragemt; And what is proposed as to ye Erecting of a Block House for their Comon Defence, it's very well approved of; The

Offic^rs there being hereby Authorized to prosecute that Designe, by enjoyning y^e Inhabitants, and others concerned, to goe on and finish y^e same. C. A. 2:717 (NYSL)

1671 June 14

2. The second Proposall is likewise granted that noe Vessell shall be permitted to goe up y^e River above New Castle to Traffick, but that y^e former Ord^rs made to y^e contrary be putt in Execuc̃on.

3. To y^e 3^d It's Ordered that noe person in Delaware shall be permitted to distill Liquo^rs, but such as give in their Names to y^e Officers at New-Castle, from whom they shall have Licence soe to doe, and also that such Distiller shall pay or cause to be paid one guilder per Can, for all Strong Liquo^rs that they shall distill, the w^ch shall goe towards y^e reparac̃on of y^e New Block-House or fforte, or some other publique Worke.

4. 5. 6. As to what is proposed in y^e 4^th, 5^th, and 6^th, y^e Governo^r & Councell have also granted what is therein desired.

7. To y^e 7^th y^e Governo^r doth allow of all such Grants as y^e Officers at Delaware have already past, and doth Order that those now p^rsented by Captaine Carr and M^r Wharton have Patents of Confirmac̃on, upon y^e same Termes & Condic̃ons as y^e rest of y^e Plant^rs in Delaware River under his Royall Highness Protection doe enjoy their Land, with this Condic̃on that each Planter shall be obliged to settle upon y^e Land for w^ch they have Patents in some convenient time to be appointed for y^e same; and likewise that they maintaine a House Lott in y^e Towne or Townes intended to be Erected for their mutuall defence to y^e w^ch they shall be nearest related.

And for y^e future It's expected before any Grant be absolutely made there by y^e Officers that y^e desires of all such Persons who are willing to take up Land, together w^th y^e

C. A. 2:717 (NYSL) quantity thereof be first Transmitted to y^e^ Governo^r^ here, who as hee shall see Cause will issue forth an Order to y^e^ Surveyo^r^ there to make a Survey thereof, the w^ch^ being certifyed, they may have Patents of Confirmac̃on for y^e^ same, In y^e^ mean time y^e^ Offic^rs^ are to give Encouragem^t^ to any such Persons, who shall make applicac̃ons unto them for Land who may withall be acquainted with this Order.

1671 June 14

8. To y^e^ 8^th^, It is consented unto, That those Ord^rs^ made at y^e^ time of y^e^ Tryall of y^e^ Long Fin at New Castle doe stand good, and y^e^ Offic^rs^ there are to cause them to be putt in Execuc̃on, But withall they are to returne hither a Duplicate thereof, whereby it may y^e^ better be adjudged how long time they may bee practicable.

9. —To y^e^ nineth about cleareing y^e^ way between New Castle & M^r^ Augustine Hermans Plantac̃on, if those of Mary Land are willing to doe their parte, The Offic^rs^ at New Castle are hereby empowered to enjoyne y^e^ Inhabitants at Delaware likewise to Cleare their proporc̃on.

10. — The 10^th^ Proposall is found very convenient, It being consonant to y^e^ Lawes of y^e^ Governm^t^, w^ch^ in that Case ought to be attended, & y^e^ Offic^rs^ there are authorized to see it putt in practice.

11. As to y^e^ 11^th^ concerning y^e^ Mill, as also one paire of Millstones not used, but lyeing in y^e^ Mud or Water, It is ordered that Care be taken for y^e^ Letting out y^e^ said Mill for y^e^ best advantage to some person who will undertake y^e^ same, & that y^e^ proffitt thereof be reserved for y^e^ publiq̃, & for y^e^ Millstones not used, They are to be taken up & p^r^served till further Ord^r^.

12. To y^e^ 12^th^ for selling Liquo^rs^ or Strong Drinke to y^e^ Indyans, It's left to y^e^ discretion of the Officers there to doe therein as shall be thought most convenient.

13. To y^e 13^th^ It is left to y^e care of Capt Carr & y^e rest of y^e Offic^rs^ in New-Castle to see that the Materialls in y^e Forte be p^r^served in y^e best manner they shall thinke fitt, who have likewise Liberty to dispose of such of them towards y^e Erecting of y^e New fforte or Block-house as there shall be occasion. C. A. 2:717 (NYSL) 1671 June 14

14. Lastly as to y^e tenure of y^e Land at Delaware, It is to be held in free & com̃on Soccage as his Roy̅^ll^ Highness by his Mã^ties^ Patent holds all his Territoryes in America, that is to say, according to y^e Custome of y^e Manno^r^ of East Greenw^ch^, only w^th^ this Provisoe that they likewise pay y^e Quitt Rents, reserved in their severall Pattents, as an Acknowledgm^t^ to his Royall Highness.

No. XLIX.

DELAWARE — LAND GRANT TO JAMES MILLS.

M^r^ James Mills appointed Surveyo^r^ of y^e Land at y^e Whore kill. C. A. 2:632 (NYSL)

Francis Louelace Esq^r^ &c. Whereas there are severall ꝑcels of Land at y^e Whore Kill in Delaware bay as yett undisposed of, & divers other quantityes possest, y^e^ w^ch^ haue eith^r^ nor beene laid out at all or very irregularly done for want of a Skilfull Surveyor in those parts & application haveing beene made unto me by James Mills (who intends to settle there) that he may haue that Employment conferr'd upon him, of w^ch^ I am inform'd he is very capable, I haue 1670/1 Jan. 9

C. A. 2:632 (NYSL)

1670/1 Jan. 9

therefore thought fitt to Constitute & appoint & by theise pr̃sents do hereby Constitute & appoint him ye said James Mills to be Surveyor of ye Land at ye Whore kill & parts adjacent, Giving & graunting unto him ye profitts & priviledges thereunto belonging, He behaving himselfe in his said Imployment conformable to ye Custome & practise of Surveyors in theise his Royall Highnesse his Territoryes & Dominions & ye Lawes of ye Government. Given undr my hand & Seale at ffort James in New Yorke this 9th Day of January in ye 22th yeare of his Maties Raigne Annoq̃ Dñi 1670.

[Francis Lovelace.]

C. A. 2:628 (NYSL)

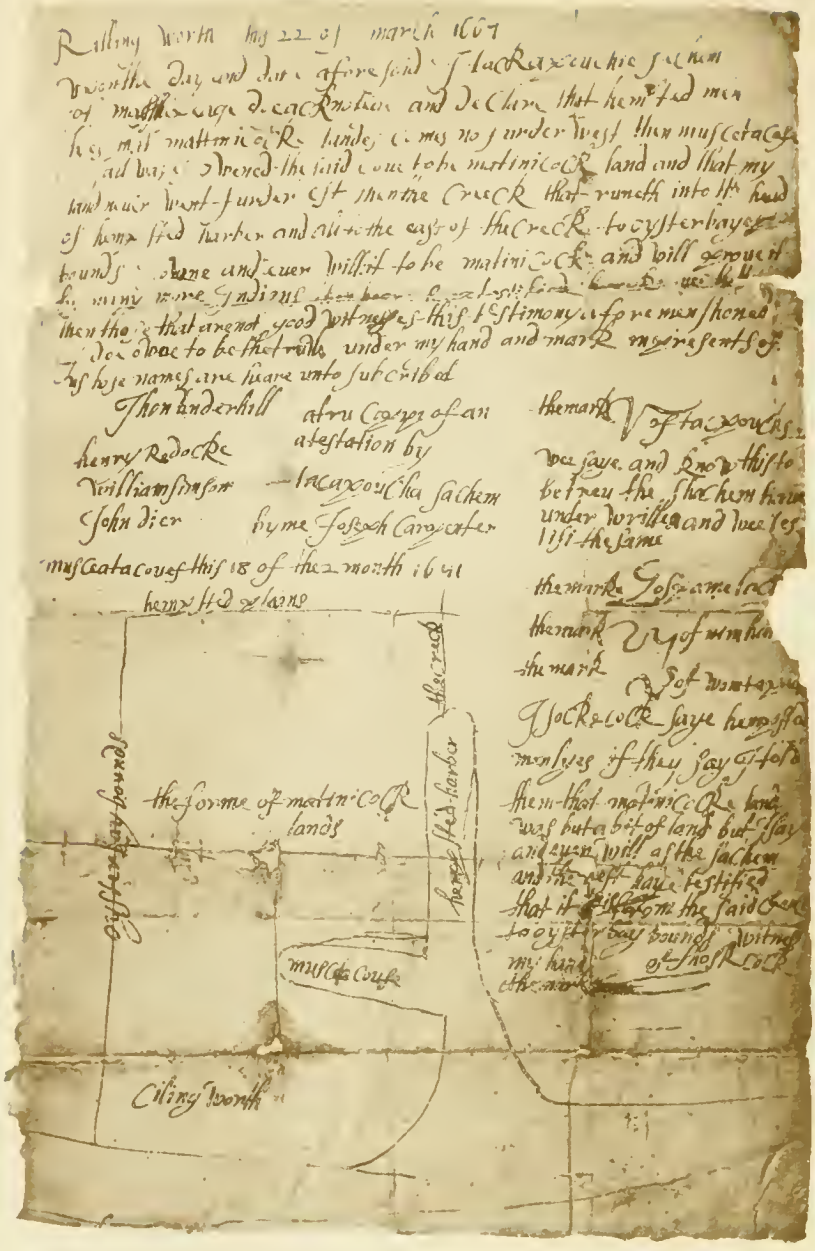
An Ordr for James Mills to purchase a Neck of Land for a Plantation at ye Whore kill

1670/1 Jan. 12

Whereas James Mills hath made request unto me that he may haue my Lycence to purchase a certaine point or Neck of Land for a Plantation lyeing to ye Southward of ye Towne at ye Whorekill in De la ware bay, The wch as he alleadges was Consented unto by ye Comrs there, & ordered by them to be certifyed & recomended unto me but was omitted by their Clarke, I haue thought fitt to graunt his request if it be as is alleadged, but Expect that ye Comrs do make certificate thereof & likewise of ye Extent & quality of ye said Land whereupon he shall haue further assurance by Patent for ye Same. Given under my hand & Seale at ffort James in New Yorke this 12th day of January in ye 22th veare of his Maties Raigne Annoq̃ Domini 1670.

[Francis Lovelace.]

Opposite p. 569.



DRAUGHT OF MATINICOCK LANDS

as interpreted by the Indian Sachem,
Tackapouche, March 22, 1667/8.

(Reduced from 12½ by 8 inches.)

No. L.

LONG ISLAND — LANDS OF THE MATINICOCK INDIANS, TOWN OF HEMPSTEAD, THOMAS TERRY, JOHN PAINE, ETC.

An Agreement made betwene y^e^ Inhabit^ts^ of Hempsteed, and the Matinnicock Indyans.[1] Deeds 2:154 (Sec. State)

'Tis Agreed the 19^th^ October in James ffort, 1666. 1666 Oct. 19

That the Inhabitants of Hempsteed, shall Enjoy and Possesse Mattinnicock, upon these Condic̃ons and reservac̃ons following.

1^st^ That the Indyans shall have a Planting ffield upon the same, when ever they desire it.

2^dly^ That the Indyans shall receive as a Guift from the Governo^r^, in behalfe of the Inhabitants of Hempsteed, the Sum̃e of [*blank*] in Duffles and Blanketts, upon the day and time that the said Indyans Proprieto^rs^ of Matinnicock, do Signe a ffirme and absolute Deed of Conveyance of the said Land, to the Inhabitants of Hempsteed.

3^dly^ The Indyans do Covenant, That Cap^t^ Underhill shall enjoy a part of the said Land, And it is mutually declared, by M^r^ Hicks and M^r^ Gildersleeve, on the Townes part, and

[1] This agreement resulted from a petition and complaint of the Matinicocks, represented by Captain Underhill, to the court of assizes, on October 1, 1666, against the town of Hempstead, alleging that the inhabitants of the latter had never paid the Indians for lands that were being encroached upon. The governor and court of assizes, after duly considering the case, ordered the appearance of representatives of both parties before the governor and council on October 18th, then to "give their Judgm^t^ therein, according to Law & good Conscience;" meanwhile, the English occupants were not to be molested or disturbed.—*Court of Assizes*, vol. 2, pp. 52, 55, 84, 91.

Deeds 2:154 (Sec. State)

by Cap^{t} Underhill for himselfe, that they are Agreed upon the proportion.

1666 Oct. 19

4.^{thly} That the Indyans will not disturbe any of the Plant^{rs} or their Cattle, now, or hereafter, coming upon the said Land. In y^{e} p^{r}sence of mee

Rich^{d} Nicolls

Memorandum. That the Indyans p^{r}sent will conferre upon the p^{r}misses, with the rest of their People, and bring their full Conclusions there upon.

Deeds 2:155 (Sec. State)

[Oyster Bay vested in Possession of Meadow.]

1666 Oct. 19

Memorandum That on the 19th day of October 1666. M^{r} John Hicks, and M^{r} Richard Gildersleeve, in the name and behalfe of the Towne of Hempsteed, did before the Governo^{r} disclayme any Title or Interest, to a certaine Parcell of Meadow Ground, adjacent to Matinnicock Lands, And that as the Towne of Oyster Bay, now doth, so forever hereafter they may quietly enjoy the said Meadowes, without any molestac̃on or disturbance, of any Person or Persons, Clayming a right there unto, from, by or under them.

Entred in the Office of Records at New Yorke, the day and yeare above written.

M Nicolls Secret̃.

C. A. 2:529 (NYSL)

8th June 1669.

The Governo^{r} advised y^{e} Hempsteed men to bringe their proofes betweene them & Matinicock to theise heads [1]

1669 June 8

1st To proue that Matinicock was really at y^{e} disposall of Tackpowsha y^{e} Marsapeag Sachem.

[1] An appeal to the court of assizes was withdrawn upon request of the inhabitants of Hempstead, in October, 1669.—*Court of Assizes*, vol. 2, p. 200.

2ly Whethr ye said Sachem did sell convey or dispose of Matinicock Lands to ye Towne of Hempsteed or if they themselues did submitt to any such disposall. C. A. 2:529 (NYSL)

3ly Whethr if ye said Sachem did or they themselues consented thereunto, for what value was it, & how it doth appeare. 1669 June 8

4ly If ye Montaukett Sachem by Conquest had power so to doe or if euer he did dispose of ye same to Hempsteed & upon what Consideration.

Liberty Graunted to Thomas Terrye to purchase of ye Indians land at Matinicock

C. A. 2:566 (NYSL)

Whereas Mr Thomas Terry haueing formerly shewed me his prtences to a certaine parcell of Land at Matinicock & made proposalls of setling some familyes there ye wch may prove for ye good & benefitt of ye Countrey, But it appearing not that ye Indian Right thereunto hath at any tyme beene purchased of ye Natives, These are to certifye all whome it may concerne That I haue giuen & graunted & by theise prsents doe giue & graunt unto ye said Thomas Terry on ye behalfe of himselfe & his Associates my leaue & Lycence to purchase of ye Indian Proprietors such part of ye lands at Matinicock capable of conteyning fiue or six farmes ye wch doth not of right belonge to any Towne or Plantation setled by myne or my Predecessors ordrs according to his proposalls & request The said Indians concerned in ye Sale thereof appearing before me or some persons appointed by me & making their Acknowledgmts to be fully satisfyed & paid as in ye Law is required, upon wch he ye said Thomas Terry shall haue his Patent for ye same Given undr my hand & Seale at ffort James in New Yorke this 8th day of July in ye 22th yeare of his Maties Raigne Annoq Domini 1670. 1670 July 8

[Francis Lovelace.]

Col. MSS. 22: 103 (NYSL)

[Declaration of Thomas Terry about Matinicock Land.]

1670 July 11

Know all Men by these presents That whereas the Rt hoble the Governor hath beene pleased to graunt mee on the behalfe of my selfe & associates, a Licence to purchase a certaine parcell of Land at Matinicock of the Indyan Proprietors, I do hereby freely consent & declare that if the businesse aforesd can bee attained to, the number of the associats shall bee foure more besides my selfe, That is to say Mr Thomas Lovelace Mr Matthias Nicolls, Mr John Payne, & the heyres of Mr John Alcocke to be joyned with myselfe Allwayes provided That each person who hath equall share with the rest doe beare an equall proporc̃on of all Charges, whether of Purchase or otherwise: In testimony whereof I have herevnto sett my hand this iith day of July 1670.

[*Signed:*] Thomas Terrey

Recorded by mee the day &
yeare above written, in the Office
of Records at New Yorke.
Matthias: Nicolls. Secr̃y

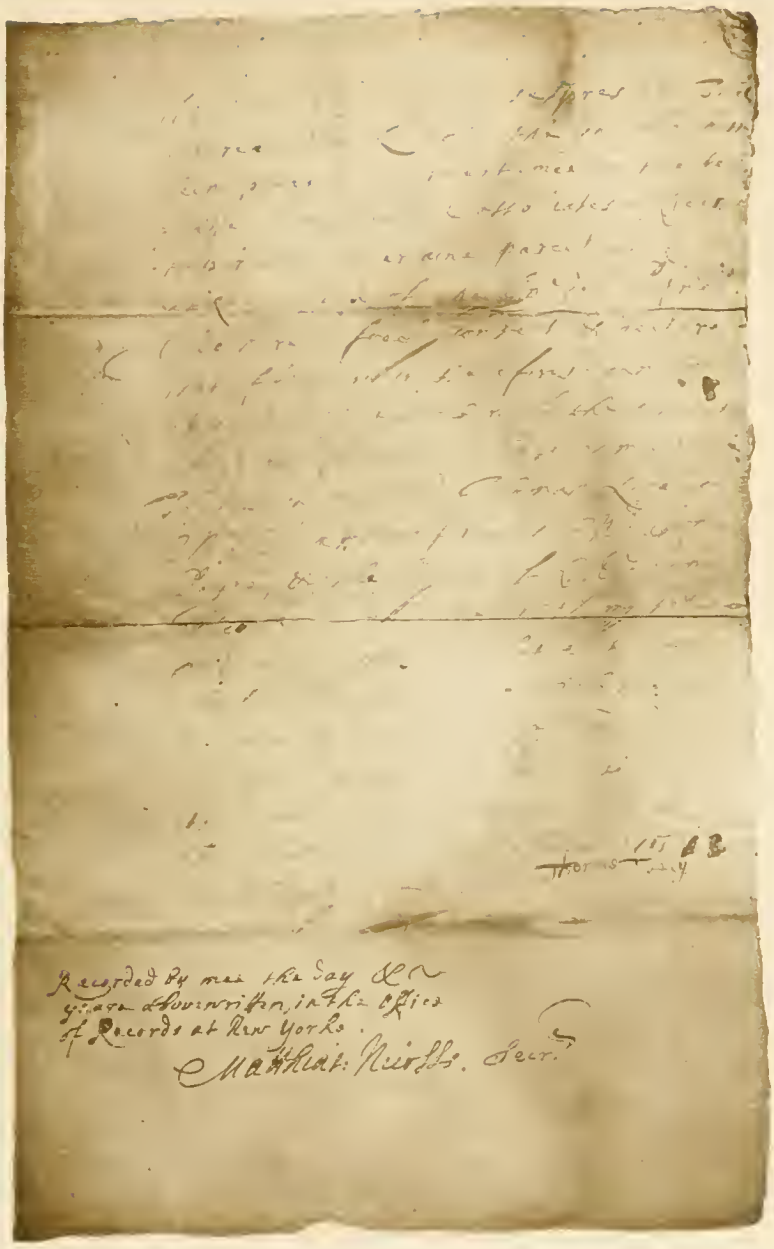
On verso (second leaf):

To direct any letter to Mr Terry to bee Left at Mr Robert Carrs at Newport Roade Island.

Endorsed:

Mr Terryes note
to mee & Mr Thomas
Lovelace.
July: 11th
1670

Opposite p. 572.



DECLARATION BY THOMAS TERRY CONCERNING MATINICOCK LAND.

(Reduced from 12¼ by 7½ inches.)

An Order from y^e^ Governo^r^ directed to M^r^ Pine, & M^r^ Smyth concerning y^e^ Mitinicock Lands.

C. A. 2:666 (NYSL)

1671 Mar. 31

Whereas there are diverse p^r^tences made to y^e^ Lands com̃only called y^e^ Matinicock Lands lyeing between Hempstead & Oyster-Bay, The w^ch^ the Towne of Hempstead in Generall, as well as severall particular persons doe lay clayme unto, but y^e^ Indyans who are reputed y^e^ true Proprieto^rs^ thereof doe absolutely disallow of & disown y^e^ same, And there being likewise some dispute or difference between them & their Neighbours concerning the Bounds of y^e^ said Land & y^e^ quantity thereof; To y^e^ end a right & good Vnderstanding may be had touching y^e^ Premisses, These are to Authorize & desire you that you will give notice to the Matinicock Indyans that they chuse two or three of the most intelligible persons amongst them to be ready to come before mee to this place within the space of 3 weeks or one month after y^e^ Date hereof, of w^ch^ they shall receive further notice to make good their clayme to describe their exact Bounds, & withall to treat concerning a Settlem^t^ of some of that Land, not as yett manured or planted, soe that it may tend to a generall Good; And for what you shall Act or doe herein according to this Order (of w^ch^ an Acco^t^ will be expected) This shall be your sufficient Warrant. Given under my Hand at fforte James in New Yorke this 31^th^ Day of March. Anno. 1671.

[Francis Lovelace.]

To M^r^ James Pine & M^r^
Smyth of Hempstead.

C. A. 2:704 (NYSL)

An Ordr to Mr Tho: Terry about ye Indyan Lands at Matinicock &c: —

1671 May 29

Whereas I have appointed Comissionrs to View & Determine ye Bounds of Matinicock Lands, concerning ye wch diverse Disputes & Controversyes have arisen, To ye end a right Vnderstanding may be had for ye future between ye Partyes concerned; These are to Authorize & Appoint you Thomas Terry to repaire to Hempstead, there to make Enquiry what Indyans are concerned; And that you give ye said Indians notice to give their Attendance on ye Comissionrs on Tuesday ye 5th day of June next, about Eleven of ye Clock in ye Morning at Musketoe Cove at Jospeh Carpentrs Plantacon from whence they are to pceed according to the Commission & Instructions they shall receive from mee; And for soe doeing this shall be yor Warrant.

Given under my hand at fforte James in New Yorke this 29th day of May. 1671.

[Francis Lovelace.]

To Thomas Terry
These —

C. A. 2:702 (NYSL)

A Commission for Captn Nicolls Mr Thomas Lovelace, Mr Robert Coe, . Mr Richard Cornell &c: to determine ye Differences about ye Matinicock Lands.

1671 May 29

Whereas severall Disputes & Controversyes have arisen both as to Persons Clayming an Interest in, as also to ye Bounds of Matinicock Lands between Hempstead & Oyster Bay, some prtending to have made purchase of ye said Lands of ye Natives, & they againe affirming ye Contrary, both in

y^e time of my Predecesso^r Coll Rich^d Nicolls, & also since my being Governo^r here; To y^e end a finall Issue may be putt to those Disputes & Controversyes, & also that those Lands may not lye waste, but that some convenient ꝑporc̃on thereof may be improved to y^e best advantage, I have thought to Nominate & Appoint, & by these p^rsents doe hereby Nominate & Appoint Thomas Lovelace Esq^r, M^r Matthias Nicolls, M^r Robert Coe, & M^r Richard Cornell to be Commission^rs to examine into those Differences, to view y^e Bounds, & to putt an End to all Disputes (if possible) touching y^e said Lands co̅monly called Matinicock Lands, as also to Treat w^th y^e Indyan Proprieto^rs for their Right (if not already sold) in that proporc̃on of Land heretofore made over by y^e Towne of Hempstead to Thomas Terry & his Associates; Allwayes provided it be noe part of what is already disposed of by y^e approbac̃on of my Predecessor or my selfe to any other Person or Persons; Of all w^ch They are to render mee an Exact Acco^t And for what They or any three of them shall lawfully doe in prosecution hereof, This my Commission shall be to them & every of them a sufficient Warrant. C. A. 2:702 (NYSL) 1671 May 29

Given under my Hand & Sealed w^th the Seale of y^e Province this 29^th day of May in y^e 23^th yeare of his Ma^ties Reigne Annoq^r D̃ni. 1671.

[Francis Lovelace.]

A Warr^t to y^e Constable of Hempstead on Behalfe of M^r Thom: Terry as followeth. C. A. 2:707 (NYSL)

These are to require y^e Constable and Overseers of Hempstead to be ayding and assisting to y^e Bearer hereof M^r Thomas Terry in procureing some ffitt Messenger that 1671 June 3

C. A. 2:707 (NYSL)

understands y^e^ Indyan Tongue to give Notice to y^e^ Indyans concerned, that they give their Attendance upon y^e^ Com̃issionrs at y^e^ time & place appointed. Given under my Hand at fforte James in New Yorke this 3^d^ day of June, Anno 1671.

1671 June 3

[Francis Lovelace.]

C. A. 2:728 (NYSL)

An Ord^r^ to Summon y^e^ Indyans of Matinicock before y^e^ Governo^r^, y^t^ y^e^ difference about those Lands may be determined &c:

1671 June 21

Whereas there was an Ord^r^ issued forth beareing Date y^e^ 31^th^ day of March last, wherein y^e^ Matinicock Indyans were appointed to chuse two or three persons of y^e^ most intelligible amongst them to be ready w^th^in three weeks or a months time to come to this place before mee to make good their Clayme to their Lands, & to describe their exact Bounds, as also to treat concerning a Settlem^t^ of some of that Land, not as yet manured or planted, of w^ch^ they were to receive further notice; But y^e^ said Indyans or some of them not waiting that time, of their own accord came hither, and went away againe, without speaking about, or doeing any thing in their Business; And whereas I did since that appoint Com̃issionrs to goe upon y^e^ place & endeavo^r^ an Agreem^t^, but by reason of y^e^ differences between y^e^ said Indyans & Hempstead Men, nothing was effected therein; These are therefore to Order and appoint that some of the Matinicock Indyans on y^e^ behalfe of the rest have notice to give their attendance here before mee on Munday next being the twenty sixth day of this instant Month to give mee an Acco^t^ of what was before expected, soe that I may

endeavo^{r} an accomodac̃on in this matter, of w^{ch} y^{e} s^{d} Indyans are not to faile as they will answer y^{e} contrary at their perrill. Given under my Hand this 21th day of June 1671.

Fr: Lovelace

C. A. 2:728 (NYSL)

1671 June 21

To y^{e} Constable or one of y^{e} Overseers of Hempst^{d}

Liberty given to M^{r} Paine & M^{r} Terry to purchase y^{e} Matinicock Lands of y^{e} Indyans, held soe long in dispute.

G. E. 4:1 (NYSL)

1671 July 11

Whereas an Ord^{r} issued forth to summon y^{e} Sachem and Pretenders to Matinicock Lands to appeare before mee in this place y^{e} first day of this instant Month, w^{ch} accordingly they did, but nothing was done in relation to what was intended, w^{ch} was to treat & come to some Conclusion about y^{e} said Lands, y^{e} said Indyans desireing a longer time of Consideracon when they would give in their Resolves, y^{e} w^{ch} they have altogether neglected to doe; These Presents therefore Certify & declare that I doe hereby give free Leave & Lycence unto M^{r} John Payne & M^{r} Thomas Terry & their Associates in his Royall Highness his Name to Treat, Agree upon & Conclude wth y^{e} Indyans for their Right and Interest in any part of Matinicock Lands not already purchased or disposed of, to y^{e} end that y^{e} said Land may be manured & improved for y^{e} publiq̃ Good, y^{e} said Indyans reserving out of it only a piece of Land convenient for them to plant upon themselves; And in regard of y^{e} great Trouble and Expence as well as Losse of time y^{e} said M^{r} Terry hath been at upon this Occasion, hee haveing likewise taken M^{r} John Payne in Partnership with him, The said Indyans are

G. E. 4:1 (NYSL)

1671 July 11

strictly charged & prohibited that they doe not sell or dispose of any of y^e^ said Lands to any other person or persons, but only to y^e^ said M^r^ John Paine & M^r^ Thomas Terry & their Associates, or their Ord^r^ for y^e^ use aforesaid, who upon any Agreem^t^ or Conclusion made, have forthw^th^ Liberty to possess and plant thereupon; And for whatsoever They or either of them shall lawfully Act or doe in prosecuc̃on hereof, This shall be their sufficient Warrant. Given under my Hand and Seale at fforte James in New Yorke y^e^ 11^th^ day of July in y^e^ 23^d^ yeare of his Majestyes Reigne, Annoq̃ Dñi 1671.

Fra: Lovelace.

G. E. 4:4 (NYSL)

The Governo^r^ & Councells Proposall in y^e^ difference between Capt^n^ Seaman & M^r^ Gildersleeve on y^e^ one pt, & Tho: Terry on y^e^ other.

At a Councell held at Forte James in N: Yorke y^e^ 13th day of July. Anno Dñi 1671.

1671 July 13

Whereas Capt^n^ John Seaman, & M^r^ Richd Gildersleeve were employd by y^e^ Towne of Hempstead both to make out their Title to y^e^ Land comonly called Matinicock Land, & also to break off their former Contract & Agreem^t^ w^th^ M^r^ Thomas Terry concerning their Grant to him of settlement there, or else make some New Agreem^t^ w^th^ him; These Presents doe wittness and declare that I doe Recommend it to both partyes to make a faire & friendly Composure touching y^e^ Premisses between themselves (if possible) And for what concernes y^e^ Indians Titles or theirs to Matinicock it may some other time be decided, when both Partyes doe make their Appearance.

[Agreement between Hempstead and Thomas Terry, etc.] Col. MSS. 22:118 (NYSL)

1671 July 14

The hoñ:rd Governor & Councill haveing recoñended the Difference that hath happened between Hempsteed In whose behalf Capt John Simmons & Richard Gildersleive did appear this 31st of July 1671 on the one part and Thomas Terry and John Paine in behalf of themselves & associates on the other part relateing to a Tract of Land lying between Hempsteed plaines & the Sea towards the Northeast in readiness to save his Honr & Councill any further trouble in an amicable complyance wee doe agree with his hoñ:rs good likeing as followeth

That said Terry, Paine & Associates shall be fully & absolutely possesst of a reall right & property in & unto ye one half of ye land between the Edg of Hempsteed plaine Southwestward or thereabouts & the utmost Extent of the tract of Land to ye sea North Eastward or thereabouts according to ye true & full extent of ye lands in all respects equally & indifferently to be divided to each part their Moeity that said Paine Terry & Associates shall be accepted of as Townsmen wth an equall priviledg in all respects. That whereas Carpentar are settled on one part of this land by the Towns permission the said Terry & Paine & associates are to allow of the quantity of 150 Acres to be taken out of their Moiety in refference thereto and not more that what is there otherwise granted allotted or settled on in that Tract of Land by other persons is to be deducted out of Hempsteed Moiety or part and those who have allready Emproved to ye quantity seven shall Enjoy their Lotts and Improvements Hempsteed allowing Paine Terry, & Assotiates the like quantity of lands out of their moiety or parte That Hempsteed people on ye one part Paine Terry & Assotiates on ye other part shall bear an equall Charge in the purchase of what is to be yet pur-

Col. MSS. 22:118 (NYSL)

chased if any & in the laying out & Legall setlement of the same & this to be a finall agreement & Determination about this Land whereof are said to be Matinecutt Lands The within written agreement being acknowledged before me by the parties concerned I doe very well approve thereof July the 14th 1671.

1671 July 14

Fran Lovelace

Enter'd in the office of
Records at Newyork ye
day & year above
written
Math: Nichols Secry

A True Copy of ye originall p me
Tho: Hickes

[*Not endorsed.*] Copy.

G. E. 4:44 (NYSL)

An Ordr for a Hearing at ye Assizes about ye Matinicock-Lands & Hempstead.[1]

1671 Sept. 25

Whereas there long hath been and still is a Contest or Difference depending between ye Inhabitants of Hempstead, & some Indyans of Matinicock, about certaine Lands lyeing there, ye wch is claymed by those of Hempstead as their Purchase, but is also contradicted by ye Indyan Proprietors of Matinicock, who deny that either They or their Ancestors

[1] In compliance with this order, Captain John Seaman and Richard Gildersleeve appeared for Hempstead, and Robert Williams for the Matinicocks; the attorneys were Sharpe and Waters. The case was heard by the court on October 6, 1671. Hempstead set up a claim of purchase "from ye Indyan Sachem Tackpoushe, who was entrusted by ye Indyans of Matinicock to sell their Land," and that "the same was confirmed by the great Sachem of Montaukett." They also insisted on a promise made to them by Governor

G. E. 4:44 (NYSL)

1671 Sept. 25

or any for them have ever sold or received Satisfaction for y^e^ same; The w^ch^ hath occasioned great Trouble, & proves a hindrance to the Planting & Improvement of those parts, w^ch^ otherwise had been ere this setled for y^e^ Good and Benefitt of these his R: H^s^ his Territoryes; These are in his Mã^ties^ Name to require that some person or persons be appointed by y^e^ Justice of the peace, Constable, & Overseers of y^e^ Towne of Hempstead, and 2 of y^e^ discreetest of y^e^ Indyans of Matinicock, or some one or more Christians Chosen by them to plead their Cause that they make their Appearance at y^e^ next Geñ^ll^ Court of Assizes to be held in this City beginning on y^e^ first Wednesday in October next, being y^e^ 4^th^ day of y^e^ said Month to make out their Title to y^e^ said Land, that upon due Examination had, and Proofe made thereupon; It may be knowne to whom it really & of right doth belong, and Judgment be given accordingly, consonant to Law and good Conscience. Given under my Hand at fforte James in New Yorke this 25^th^ day of Septemb^r^ in y^e^ 23^th^ yeare of his Mã^ties^ Reigne, Annoq̃ Dñi 1671.

ffra: Lovelace

To y^e^ Justice of y^e^ peace, Constable, &
Overseers of Hempstead.—
And to those of Matinicock who p^r^tend
to be Proprieto^rs^ of y^e^ said Land.—

Nicolls that "noe other Persons, but those of their Towne should have Leave to buy the Land at Matinicock." For the Indians it was contended "that Matinicock Land was never sold to Hempstead Men by their Consents, and that Tackpoushe disowns it." Governor Lovelace proposed to buy the land for Hempstead, but the Indians were only willing to sell direct to the governor and wanted a month's time for consideration of the price. Hempstead asked Lovelace to end the controversy, and the Indians, "consenting to sell their Interest," again asked one month's time "to bring in their Demand for the same to y^e^ Governo^r^, reserving a Planting ffield to themselves."— *Court of Assizes*, vol. 2, pp. 259, 260, 277, 280.

G. E. 4:159 (NYSL)

An Ordr in answr to ye Inhabitants Peticon of Matinicock about their Commonage.

1672 July 4

Whereas upon ye Peticon of ye Inhabitants of Matinicock about their Commonage, an Order went forth from my selfe & Councell, That before ye Purchase should bee made of ye Indyans Right to that Land, according as it was agreed on at ye Last Court of Assizes; Those of Hempstead & Mr Terry & Company, together wth ye Petnrs should bee discourst wth about ye prmisses, soe that Nothing should bee done to their prejudice; To ye End an Issue may bee putt to that Affayre, These are to Advertize ye Inhabitants of Matinicock, That some Persons from this Place will bee at Hempstead upon Munday next being ye 8th day of this instant Month, where it is expected they should send one or two Persons on ye behalfe of their Plantacon, when those of Hempstead, Mr Terry & Company, wth some from Matinicock being mett together, they may come to a right Vnderstanding about ye said Land, & make Reporte thereof unto mee, that ye Matter at length may come to a finall Determinacon. Given under my Hand at Forte James in New Yorke. this 4th day of July 1672:

[Francis Lovelace.]

G. E. 4:176 (NYSL)

An Ordr about ye Lymitts of Hempstead & Oyster-Bay.

1672 Aug. 2

Whereas ye Bounds & Lymitts between ye Townes of Hempstead & Oyster-Bay, as also between Hempstead & ye Inhabitants of Muskeeto Cove have not hitherto been soe layd out & ascertayned, but diverse Disputes & Contests have already, & more are like to arise upon that Occasion, And

there being likewise a Difference what y^e^ Extent is of y^e^ Land comonly called Matinicock Land about the settling whereof there hath an Agreem^t^ been made by my Approbacon between y^e^ Inhabitants of Hempstead, & M^r^ Thomas Terry & Company; These are to empower & authorize some Persons of y^e^ Neighbourhood as shall bee thought most capable to bee chosen by y^e^ Offic^rs^ of y^e^ Towne of Hempstead & M^r^ Terry to runn the Line & lay out y^e^ just Bounds between the said Townes of Hempstead & Oyster-Bay, & also between them & Muskeeto Cove, together w^th^ y^e^ Land called Matinicock Land, & likewise to make a Division of y^e^ said Land called Matinicock Land, & Land adjacent according to their Agreem^t^; of all w^ch^ they are to give due & timely Notice to y^e^ Inhabitants of Oyster-Bay, Musketo Cove, & all others concerned that y^e^ said Lymitts & Bounds being duely & justly sett forth & layd out between them, y^e^ same may bee soe Recorded, & an End bee putt to all future Contests thereupon. And for whatsoever y^e^ s^d^ Persons chosen as afores^d^ shall lawfully Act or doe in prosecution hereof, this shall bee to them a sufficient Warrant. Given &c: this 2^d^ day of Aug: 1672. G. E. 4:176 (NYSL) 1672 Aug. 2

[Francis Lovelace.]

To M^r^ Robt Jackson
Constable of Hempstead.

An Ord^r^ about M^r^ Terry & the Matinicock Lands. G. E. 4:254 (NYSL)

Whereas y^e^ Busyness of Matinicock Lands hath long depended wherein the Inhabit^ts^ of yo^r^ Towne, & M^r^ Thomas Terry are concernd, w^ch^ being at length agreed upon for the Division though not hitherto done; Vpon Address made unto mee anew by M^r^ Terry, I doe recomend it unto yo^u^ 1672/3 Feb. 1

G. E. 4:254 (NYSL)

1672/3 Feb. 1

that upon his Coming to yo^u with this Paper, you doe according to y^e former Agreem^t forthwith appoint some Persons in behalfe of yo^r Towne to lay out the Bounds, & Division of the said Land, that Improvem^t may bee made thereupon according to the true Intent & Meaning of the first Grant. Given &c: this 1^rst of ffeb^ry. 1672.

[Francis Lovelace.]

To y^e Constable & Overseers
of Hempstead.

G. E. 4:259 (NYSL)

An Ord^r on behalfe of M^r Terry about the Matinicock Land. &c:

1672/3 Feb. 17

Whereas I lately issued forth an Ord^r that according to Agreem^t between the Inhabitants of the Towne of Hempstead & M^r Thomas Terry & Company, the Land called Matinicock should bee layd out & divided, the w^ch hath mett w^th some Obstruction by reason of the p^rtences of the Inhabitants of Musketoe Cove, who its said have made Purchase from the Indyans of the Timber of a considerable parcell of Land towards Hempstead or the Playnes, I have thought fitt to Ord^r that if there bee sufficient quantity of Land behinde the said Plantation of Musketoe Cove towards the North, the said Inhabitants shall in lieu of their p^rtences to the Timber of the Land on the South bee supplyed w^th an equall or better proportion both of Timber & Land to the North behinde them; The w^ch I doe hereby recommend both to the Inhabitants of Hempstead, M^r Terry, & Company, & those of Musketoe Cove, that there may bee an amicable Composure of this Difference between them. Given under my Hand &c: this 17^th of ffebruary 1672.

[Francis Lovelace.]

No. LI.

NEW YORK CITY — LUTHERAN CHURCH AND REV. JACOBUS FABRICIUS.

Commission for Alderman Lawrence, Captn Lovelace, and Mr Pell to compose ye Difference betwixt ye Lutherans of this City. G. E. 4:15 (NYSL)

These are to Authorize & Appoint you Mr John Laurence one of ye Aldermen of this City, Captn Dudley Lovelace, and Mr John Pell as Commissrs to Examine & Enquire into ye prsent difference between ye Persons of the Augustane or Lutheran Profession in this City within the protection of these his Royall Highness his Territoryes; & that you Endeavour a peaceable Composure amongst them, and give mee an Accot thereof, for ye doeing whereof this shall be your sufficient Warrant. Given under my Hand at fforte James in New Yorke this 5th day of June. 1671. 1671 June 5

Fran: Lovelace

An Ordr about ye Lutheran Membrs of this City. C. A. 2:729 (NYSL)

At a Councell held at Forte James in New Yorke ye 29th day of June 1671.

Present
ye Mayor & Aldermen
of the City.

The difference between ye Lutheran Magistr Jacobus Fabricius &c: & those of that Church that peticoned against 1671 June 29

C. A. 2:729 (NYSL)

1671 June 29

him being taken into mature and deliberate Consideracõn; It is orderd that all those persons of that profession who have consented or subscribed to y^e^ payment for the Church-House, that they pay their proporcõns according to Agreem^t^, and likewise that they pay or cause to be paid unto y^e^ said Magister their Pasto^r^ their proporcõns of his Salary, untill y^e^ time of their late publique Disagreem^t^, upon w^ch^ y^e^ Governo^r^ gave Commission to M^r^ Lawrence and others to examine into the same.

G. E. 4: 17 (NYSL)

Another Ord^r^ about y^e^ Lutherans in Answ^r^ to a Petiõn they p^r^ferrd against their Minister.

1671 June 29

Whereas Complaint hath been made unto mee by diverse of y^e^ Lutheran or Augustane Congregacõn against Magister Jacobus Fabricius their Pastor wherein they Charge him w^th^ severall Matt^rs^ unbefitting one of his Profession, And haveing this day Advised w^th^ my Councell hereupon, & called to my Assistance some of y^e^ Court of Aldermen, w^th^ other grave & sober Persons for y^e^ heareing of y^e^ same; but not findeing y^e^ one party ready to make good their Charge, nor y^e^ other well provided to make his Defence; I doe hereby Order and Appoint that y^e^ farther heareing of y^e^ Matter be deferrd untill Thursday next being y^e^ 6^th^ day of July by two of the Clock in y^e^ Afternoone at y^e^ fforte; At w^ch^ time they are againe to make their Appearance; And y^e^ Complainants are to leave a Coppy of their Charge against y^e^ Magister at his House before Munday Night next, that hee may be prepared to make Answer to what is objected against him. Given under my Hand at fforte James in New Yorke this 29^th^ day of June 1671.

F: Lovelace.

An Ordr made on ye Behalfe of Christiaen Pieters, concerning his being bound to Mr Asser[1] for parte of a House that was bought for ye use of ye Lutherans Congregacon.

G. E. 4:16 (NYSL)

1671 June 29

Whereas Complaint hath been made unto mee by Christiaen Peters that at ye Instance & Request of diverse of his ffriends of ye Lutheran Congregacon hee became bound to Asser Levy for a certaine Sume of Money due for a House wch was bought for ye use & Benefitt of ye Congregacon in Genll: ye wch happening at prsent to be at some variance, diverse of them doe refuse to pay their proporcons, to ye wch they did formerly subscribe & give their Consents, soe that hee ye said Christiaen Peters is like to be sued for ye whole Sume wch may prove very much to his Damage; And there being likewise an Agreemt made for ye paymt of a Salary to ye Lutheran Pastor, wch is neglected to be paid by many of ye Congregacon, in regard of ye Difference between them. These are therefore to Order & appoint that Collection be forthwth made of ye Money agreed to be paid for the House, according to ye severall proporcons sett downe in ye List made by their mutuall Consent, soe that Christiaen Peters be saved harmless from his Engagemt; and ye persons who are behinde hand & in Arreare in paying of their proporcons of ye Salary due to ye Magister, are likewise to satisfy ye same untill ye time of their publiqꝫ Disagreemt & Division in their Congregacon, & ye Pastors declareing his Resolucon to leave them. Given undr my Hand at fforte James in New Yorke this 29th day of June. 1671.

ffran: Louelace.

[1] Asser Levy.

C. A. 2:737 (NYSL)

An Ordr about ye Lutherans in Answr to a Peticon presented by some of that Congregacon dissenting from ye rest &c:—

1671 July 6

Whereas a difference hath lately arisen between some of ye Lutheran Confession in this City, & Jacobus Fabricius their Pastor; whereupon Hendrick Williamsen, Bay Croesvelt, Johannes Freeze on ye behalfe of themselves & others have prferr'd a Peticon unto mee, desireing that they may have nothing more to doe wth their said Pastor, nor that hee may more molest them; As also that some person may be appointed to super-vize their Accots & receive ye money they have subscribed to for their Church, wth some other particulars in ye said Peticon sett forth; These are to Authorize & Appoint Mr John Laurence one of the Aldermen of this City and a Comissionr appointed to endeavour a Composure in this Affayre to supervize ye Accots of ye Petnrs, & to receive ye moneys wch already are or shall be Collected from ye persons who have subscribed to pay the same towards ye Church, as also to make an Entry according to their desire of all such Vtensills as doe belong to ye Church, of all wch hee is to render mee an Acct & for soe doeing this shall be his Warrt. Given under my Hand at Forte James in New Yorke this sixth day of July. 1671.

Fran: Louelace.

G. E. 4:20 (NYSL)

An Answer to ye last Peticon of ye Lutheran Ministr, Mr Jacobus Fabricius, wherein hee requested liberty to give his Congregacon a Valedictory Sermon, and to Install the new Come-Ministr, according to ye Custome used by those of their Religion.

1671 Aug. 11

The Contents of this Peticon being very reasonable, & (as I am informed) according to ye Custome of ye Augustane

Confession, I doe very well approve thereof, & Grant the Peticon^rs Request. Given under my Hand at fforte James in New Yorke this 11^th day of August. 1671.

[Francis Lovelace.]

G. E. 4: 20 (NYSL)

1671 Aug. 11

Liberty granted by y^e Governo^r to Martin Hoofman a Memb^r of y^e Augustane Confession to goe to Delaware, to collect money towards y^e Erecting them a Church.

G. E. 4: 88 (NYSL)

Whereas y^e Minist^r & Offic^rs of y^e Church of the Augustane Confession or Lutheran Congregacon in this City under y^e protection of his Royall H^s y^e Duke of Yorke have requested my Lycence to build & Erect a House for their Church to meet in, towards the w^ch They doe Suppose all or most of their Profession will in some Measure Contribute, and there being diverse of them in the South River at Delaware, to w^ch place a Sloope being now bound a Conveniency p^rsents, soe that they have pitcht upon Martin Hoofman to Negotiate there for them; These are to require all Persons That they permitt & suffer y^e said Martin Hoofman to Passe out of this Porte in the Sloope belonging to Capt. Martin Creiger bound for New Castle in Delaware, and y^e Offic^rs there are likewise required noe way to hinder or molest y^e said Martin Hoofman in his Endeavo^r of Collecting y^e Benevolence of such of y^e Lutheran Profession in those parts, towards their Intents as afores^d Provided It doe noe way hinder, or tend to make Division or Disturbance amongst y^e People, nor shall Occasion y^e Breach of the Peace, the which all his Mã^ties good Subjects are obliged to keepe. Hereof They are

1671/2 Jan. 16

G. E. 4:88 (NYSL) not to fayle. Given under my Hand at fforte James in New Yorke the 16th day of January 1671.

[Francis Lovelace.]

1671/2 Jan. 16 To all whom this may Concerne.

No. LII.

NO MANS LAND (ISLE OF MAN) — GRANT.

C. A. 2:558 (NYSL) A Graunt unto John Williams for a New Patent for ye Isle of Man alis Nomans land.

1670 June 28 Whereas John Williams one of ye Patentees for ye Island called No mans Land alis ye Isle of Man, hath made his Adresse unto me to haue ye said Patent renewed, The tyme graunted in the former Patent by my Predecessor for its settlement being Elapsed, And ye said John Williams having rendred some reasons unto me for ye same so that it doth not appeare to haue beene through his neglect but hath rather beene by ye default of his Partners Upon newe Proposalls made unto me by ye said John Williams to settle a fishing trade there, For his Encouragemt therein, I doe hereby promise unto him ye said John Williams & such Associates as he shall take. That upon surrendr of ye old Patent & his Engagement forthwth to prosecute ye said Designe, he shall

haue a new Pattent graunted unto him for y^e^ said Island upon y^e^ same termes as formerly or such oth^r^ reasonable ones as shall be agreed upon, Given und^r^ my hand & seale at ffort James in New Yorke this 28^th^ day of June 1670. C. A. 2:558 (NYSL) 1670 June 28

[Francis Lovelace.]

No. LIII.

COUNCIL BUSINESS, JULY 8, 1671 — OMITTED FROM THE MINUTES.

The Answ^r^ to M^r^ Booths Peticon. G. E. 4: 17 (NYSL)

Att a Councell held at fforte James in New Yorke the 8^th^ day of July. 1671.

The Governo^r^ & Councell haveing perused & seriously taken into Consideracon y^e^ Peticon of M^r^ John Booth of Southold, wherein hee complaines of y^e^ hard measure hee hath lately sustained by a Distress made upon his Goods for an Arreare w^ch^ hee was Assessed to pay y^e^ Minister, the w^ch^ hee had neglected or refused to doe, for that y^e^ Minister had Denyed to Administ^r^ y^e^ Sacram^t^ of Baptisme to his Children though tendred unto him for that purpose; They doe give for Answer that there being an Indulgence or Dispensacon granted in y^e^ Booke of Lawes, as to that very particular, to the Minist^rs^ then in being, of y^e^ East Rideing for their Lives, The said Minist^rs^ cannot be compelled thereunto. 1671 July 8

G. E. 4: 17 (NYSL)

1671 July 8

However It is Ordered that a Letter be written to y^e^ Minister of that Place, & Comunicated to y^e^ Inhabitants that more Charity and Moderacon be used towards his Neighbo^rs^ for y^e^ future.

By Ord^r^ of y^e^ Governou^r^ and Councell.

G. E. 4: 18 (NYSL)

The like Answ^r^ to y^e^ Peticon of Robert Dayton of East-Hampton.

At a Councell held y^e^ same day (viz^t^ y^e^ 8^th^ of July 1671.) at fforte James in New Yorke.

1671 July 8

The Governo^r^ & Councell haveing pused & seriously taken into Consideracon y^e^ Peticon of Robert Dayton of East Hampton wherein hee complaines of y^e^ hard measure hee hath susteyned by being brought to y^e^ Court of Sessions in March last, & putt to unnecessary Charge there, about paym^t^ of what hee was Assessed to y^e^ Minister, w^ch^ y^e^ Offic^rs^ might have taken at home by Distress at a farr more easy Rate, neither had that Trouble been needfull had not y^e^ Minister denyed to Administer y^e^ Sacram^t^ of Baptisme to his Children, though tendred unto him for that Purpose, They doe give for Answer that there being an Indulgence or Dispensacon granted in y^e^ Book of Lawes as to that very particular, to y^e^ Minist^rs^ then in being of y^e^ East Rideing, y^e^ said Minist^rs^ cannot be compelled thereunto. However it is Ordered that a Ł^re^ be written to y^e^ Minister of that place, & comunicated to y^e^ Inhabit^ts^ that more Charity and Moderacon be used towards his Neighbours for y^e^ future.

No. LIV.

DELAWARE — MATINICONCK ISLAND, INDIAN DEPREDATIONS.

Ltre from his Honr to ye Governor of New Jersey upon ye Tydeings of ye Murther committed upon 2 Christians at Matiniconck Island by ye Indyans. G. E. 4:35 (NYSL)

Sr

When I parted last wth you I left all ye Well-wishes wth you to accompany yor Intended Journey to Delaware; since wch an Express is sent mee from those parts wth ye Narracon of a horrid Murther comitted by ye Indyans on two Christians at Matinicok Island, wch of Necessity will give an Interruption to yor Intended Journey. The Indyans that have Committed that horrid ffact are two in Number, & confessedly knowne by them; Thier Habitacon is at Suscunck 4 miles to ye Eastward of ye Island, and soe appertaines to your Jurisdiction. I would not in this Exigence Conclude on any Determinacon in point of Satisfaction and Revenge till I had acquainted you wth it, from whom (I question not) I may Expect such a Resolved Vndertakeing by you, as may Answer ye Guilt of that Christian Blood already spilt, and ye Honor of ye English Nation now at Stake; I shall not enlarge my selfe further in this Letter, referring all Circumstances to ye relation of this Bearer; and withall to assure you that I should be gladd to conferr with you to putt Things into some posture as may answer ye End 1671 Sept. 20

My Service (I pray) to Captn Carterett, whose I am as

Yor affecate ffriend

Fran: Lovelace.

G. E. 4:35 (NYSL) fforte James Wednesday about
4 of y^e^ Clock. Afternoone.
Septem: 20^th^. 1671.

1671 Sept. 20 I rec^d^ y^e^ Express (w^ch^ I here send you)
but newly.

G. E. 4:45 (NYSL) Some Resolves about y^e^ late Murther of 2 Christians at Matiniconck by y^e^ Indyans.

At a Councell held at fforte James in N: Yorke by y^e^ Governo^r^ of these his Royall Highness his Territoryes, & y^e^ Governo^r^ of New Jersey y^e^ 25th day of September 1671.

1671 Sept. 25 Vpon Consideracõn had of y^e^ Barbarous Murder cõmitted by some Indyans on y^e^ East side of Delaware River upon 2 Christians at Matiniconck Island, It is mutually Resolved and Concluded on as follows.—

That Thomas Lewis now Bound w^th^ his Sloope for New Castle in Delaware River be stayed from his Intended Voyage for y^e^ space of 3 or 4 dayes, when M^r^ Peter Alricks, & M^r^ Henry Courturier will be ready to goe with him.

That in y^e^ meane time some Generall Instructions bee drawn up for them to take along w^th^ them, in Order to the Managem^t^ of Affayres there in this p^r^sent juncture of time.

The Governo^r^ of New Jersey, & Capt^n^ James Carterett (then also p^r^sent) being desired that they would give Order for a Geñ^ll^ Assembly to be called in that Governm^t^ (according to their Constitucõn upon all emergent Occasions) soe to have an Acco^t^ of their Strength, and to know their readyness if Occasion shall require, and how farr they will be willing to contribute towards y^e^ prosecucõn of a Warr

against y^e^ Indyans; They very readily gave their Consent thereunto, & promise to doe it with all Expedic̃on. G. E. 4:45 (NYSL)

That a Geñ^ll^ and frequent Correspondence be kept between y^e^ 2 Governm^ts^ upon all Occasions, more particularly at this p^r^sent time, & that nothing be done in this Busyness about y^e^ prosecuc̃on of y^e^ Indyans w^th^out a mutuall Advice & Consent of both y^e^ Governo^rs^; unless upon some extraordinary Opportunity w^ch^ may p^r^sent, where some advantage against the Enemy may suddenly be taken before Notice can be given. 1671 Sept. 25

That in y^e^ Meane time Henry y^e^ Loaper who brought M^r^ Toms Letter from Delaware about y^e^ Murther, be forthwith dispatcht back thither againe, w^th^ an Answer thereunto.

Ł're from y^e^ Governo^r^ to M^r^ Tom at Delaware. Septem: 26^th^. 1671. G. E. 4:40 (NYSL)

M^r^ Tom.

I received yo^r^ Lett^r^ of y^e^ 15^th^ of Septemb^r^ 1671 by Hendrick Loaper, wherein you give mee an Acco^t^ of the Barbarous Murder of y^e^ two Christians on Matinicock Island by y^e^ Neighbour Indyans; I must confess I was much startled at y^e^ Narrative, and y^e^ rather in regard Capt^n^ Carr had given mee lately soe full an Assurance, that all Things between you and y^e^ Indyans were soe firmely settled, that there was hardly any Roome left for any Distrust or Jealousy of them, betwixt you and them; much less that soe suddenly after they should break out into these unheard of Crueltyes & villanous Murth^rs^, w^ch^ as their Crimes have noe Paralell, soe I am assured y^e^ Vengeance of God will never forsake us, till wee avenge y^e^ Blood of y^e^ Innocent on y^e^ Contrivers heads; Had my Directions been bravely & vigorously followed by you in the last sad Accident, 1671 Sept. 26

G. E. 4: 40 (NYSL)

1671 Sept. 26

I doubt not but it would have p^r^vented this; & I pray God this Sin be not laid now to your Charge. I shall by this Conveyance Transmitt but little to yo^u^ in regard I know not how and when it may arrive you, but I reserve my more ample Instructions, w^ch^ I will send by Peter Alrick, who To-morrow will Imbarque in Tom the Irishman; However if this arrives you first I would have you to pretermitt noe time, but to bethinke how a Warr may be prosecuted on those Villaines; And in regard it will require some time, till all Things be brought in Order to y^e^ best Advatage of Compassing our Designe, I think it requisite that all y^e^ ffrontier Scattering Plantac̃ons be ordered immediately to thrash out or remove all their Corne, as likewise their Cattle, that soe they may receive y^e^ less Damage by the Effects of y^e^ Warr w^ch^ will ensue; Next that none (on paine of Death) p^r^sume to sell any Powder, Shott, or Strong-waters to y^e^ Indyans, and that in y^e^ meane time you carry (if practicable) a seeming Complacency with that Nation by either Treaty or Traffick, that soe they may have y^e^ less mistrust of our Intended Designes; but if it can be soe contrived that that Nation will either Deliver up y^e^ Murtherers to you, or their Heads, you have then Liberty to assure that Nation of noe Disturbance till I am acquainted therew^th^; The Governo^r^ of New Jersey & Capt James Carterett are acquainted w^th^ all o^r^ Resoluc̃ons, who this Day repaires from hence to his Government to settle all Things in Order to y^e^ bringing those Villaines to condigne Punishm^t^, hee is very hearty & zealous in that Affaire; & I am assured wee may depend on a handsome & considerable Supply & Assistance from him; I charge you lett mee heare from you on all immergent Occasions, & bethinke yo^r^ selfes of y^e^ prosecuting of a Warr, & therefore make y^e^ best preparac̃ons in Order to it; If a good Worke were

throwne about Matinicock House, & that strengthened w^th^ a considerable Guard, It would be an admirable ffrontier; & from thence wee might proceed to an Execuc̃on when all Things are in readyness thereunto. I am sorry to heare Capt^n^ Carr is soe ill as you relate him; I hope hee may in some reasonable time recover strength enough to follow this Affaire; w^ch^ if at this time I had not soe many different & considerable Affaires to Dispatch, you should not have receiv'd a Letter from mee, but my own person. G. E. 4:40 (NYSL) 1671 Sept. 26

I have nothing more at the p^r^sent to Add, but to assure you that I am

Yo^r^ very affectionate ffriend
ffran: Louelace

[Lovelace to Carr.] G. E. 4:50 (NYSL)

fforte James New Yorke
Septemb^r^ y^e^ 28^th^ 1671.

Capt^n^ Carr.

M^r^ Tom has rendred yo^r^ sick Condic̃on soe to mee that I was disheartned to direct my Łre to you w^ch^ I last sent, for feare it should not have found you in this World; However haveing promis'd to write to you by Tom y^e^ Irishman, I shall now Cancell that Obligac̃on; By y^e^ Express I return'd I gave a full & satisfactory Answ^r^ to that Lett^r^ M^r^ Tom sent mee, concerning y^e^ barbarous Murd^r^ of those two poore Christians, & though I promisd to send you by this fuller Instructions, yet I did not apprehend I should be soe copious in that Łre as at last it proov'd & therefore haveing advis'd w^th^ y^e^ Duplicate, (w^ch^ I send you here inclosed) I finde little Addic̃ons to be affixt; And therefore till I receive fresher Informac̃ons from you, you may guide yo^r^ selfe by those Rules I then p^r^scribed. But in regard it will be impossible for mee & the Councell at this Distance to direct you punc- 1671 Sept. 28

G. E. 4:50 (NYSL) tually in this Affaire how you shall steer yo^r Course, wee must therefore reserve that to yo^r prudent Managery, In w^ch I would have you allwayes to take deliberate Advice from y^e Commissaryes before you putt in practice any of yo^r Intended Designes, & be sure on all Occasions to Advertize mee of yo^r motions.

1671 Sept. 28

Lett not y^e People flatter themselves w^th any hopes of an Accomodac̃on in patching up a present peace, for the perfidious Dealing of y^e former Sachems, has now sufficiently awakened o^r English Hono^r (w^ch I hope will never be sullyed) to bring them to a full Satisfaction for that Christian Blood soe lately spilt.

The Governo^r of New Jersey is stept into y^e worke, & in order thereunto has now call'd an Assembly, y^e good Effects whereof by y^e next you shall more largely understand, In y^e meane time omitt noe opportunity; & if you can finde such an Advantage on y^e Enemy as (in all humane probability) you may promise your Selves a good Success, in Gods name prosecute it, & God bless you.

Wee have had an Indyan or two from those parts, who declare that that Nation is in great Apprehension of us, & looke on themselves as lost. They have tamper'd w^th some other Nations to Assist them, but have been totally refused. My Service to all o^r ffriends, & faile not to lett mee heare from you.

Yo^r affec^ate Friend. Fr: Louelace

G. E. 4:56 (NYSL)

[Lovelace to Captain Philip Carteret.]

To Capt^n Philip Carterett.

Hon^d S^r

1671 Oct. 20

I received an Acco^t of yo^r Proceedings at yo^r Gen̄^ll Court of Assembly, concerning the putting yo^r selves into a posture

to avenge y^e^ Murther cõmitted by some Indyans on two Christians at Matinicock, w^ch^ I heartily thank you for; It being in Ord^r^ to that Geñ^ll^ Agreem^t^ made betwixt us, that nothing should be Acted in that Affaire, w^th^out a mutuall Consent. Since I had y^e^ ffavo^r^ of yo^r^ Company I have (besides that Letter you saw) had y^e^ opportunity of sending two more, to witt, One by Peter Alrijck, y^e^ other by Williams who was resolved to passe that way w^th^ some Horses; All importing what Resolucõns wee had mutually taken to stop y^e^ Insolencyes of y^e^ Indyans; How y^e^ affaires stand there at p^r^sent I am ignorant of, till I receive an Express from thence (w^ch^ I hourely expect) & I will assure you it shall noe sooner arrive my Hand till I transmitt it to yours, & if it shall soe happen (by any Interruption) y^t^ my Messeng^r^ is intercepted, I am resolved to make a Journey over thither my selfe, To w^ch^ I shall now have a greater Zeale, since Capt. Carterett has pmised mee to beare mee Company; In y^e^ meane time I am glad to understand y^e^ Complacency of yo^r^ Assembly to bee sutable to yo^r^ proposicõns, & that when y^e^ publique Interest is concern'd, they will step soe frankly to y^e^ supportacõn of it. I have noe more but to assure yo^u^ that I am w^th^ great kindeness

G. E. 4:56 (NYSL)

1671 Oct. 20

Yo^r^ affec̃^ate^ ffriend & Serv^t^

Fran: Louelace.

Forte James Octob^r^
20^th^. 1671.

[Tom to Lovelace.]

Col. MSS. 20:24 (NYSL)

25^th^ of October 1671

Right Hono^ble^

by this conveyance I shall informe yo^r^ hono^r^ that M^r^ Aldricks and my selfe going vp the river w^th^ a pfect intention

1671 Oct. 25

Col. MSS. 20: 24 (NYSL)

1671 Oct. 25

w^th^ yo^r^ hono^rs^ order this winter to make a warr and there advising w^th^ the Sweedes about itt there miserable moane for the losse of their beasts for want of Hay and the consideracõn that the winter being so neare att hand that itt was impossible for ice to build a strenght [*sic*] att Mattinacunck and to lay in provisions there w^ch^ must bee for when men march they must not coñe hither every six or seaven dayes for victualls therefore before wee begin a warr provision must be layd in all convenient places itt may be yo^r^ hono^r^ att first sight may looke vpon the warr as frivolous but way itt further and yo^r^ hono^r^ will find that all the Kings interest in this part of the world depends vpon itt (for this river lying in the middle and the worst to be wonne from the Indians by reason of the broken lands and Crewples w^ch^ are a shelter for them ag^t^ any Christian force w^th^out helpe of other Indians) if deserted Mary land has noe strenght [*sic*] to follow them here for want of provisions and distance of place and so cutt of by degrees and Virginia much lesse for the same reason the Indians as is dayly found not caring bee itt middle winter to march 4 or 5 hundred mile for 2 or 3 heads of Haire much more when they can have that with plunder how New Jarsey stands yo^r^ hono^r^ best knowes then if yo^r^ hono^r^ concludes w^th^ vs this river must vpon necessity be maintayned were itt for noe other reason as a magazine for the rest of his Ma^ties^ territoryes hereabouts and refreshing w^ch^ cannot otherwise be done as w^th^ men money and ammunition for at p^r^sent a little money in regard to the Kings purse w^ch^ ought always to be open vpon such affaires may be may stop this issue of bloud w^ch^ is likely to ensue when afterwards thousands will not doe itt here is rumo^r^ coñe by the Indians that the Assawack Indians they who were the murtherers of John the Capers sonnes w^th^ the rest have since killed an Englishman and that S^r^ William is in psuite

Col. MSS. 20:24 (NYSL)

1671 Oct. 25

of the murtherer tis but Indyan newes therefore beleive as yo^{u} please I have hereby this oppertunity sent yo^{r} hono^{r} Collonell Scarboroughs his letter w^{ch} was mislayd another report wee have from Maryland by Patrick Carr one of o^{r} soldiers an honest fellow and noe statesman and not likely to rayse such reports if not true that M^{r} Charles Calvert Leivetenat of Mary land has sent vp order to M^{r} Augusteene[1] and the rest in the head of the bay that they stand vpon there guard and likewise that so soone as the new Governo^{r} comes he shall send him notice and he will give him a meeting therefore wee conclude that if yo^{r} hono^{r} have noe advice for the exchange he has itt there being two ships arrived att Pattuxunt if thought convenient that wth the next sloope 25 soldiers were sent itt would much depresse the Indyan courage and assist vs but betimes in the spring a greater supply of men and if possible Northerne Indyans when o^{rs} are coming from there hunting quart^{rs}

I thinke I need not write further M^{r} Aldricks and M^{r} Helme coming wth this onely presse yo^{r} hono^{r} to weigh this seryously and send vs full supplyes yo^{r} hono^{r} must pick out my meaning for my finger is so soare I can hardly lay itt to the paper further I have sent to Cap^{t} Howell to know the certainty of these reports w^{ch} yo^{u} may expect to heare by Thomas Lewes but desire that noe provision may be exported out of this river vntill yo^{r} hono^{r} has fully discussed this business noe more att p^{r}sent but I am

Right Hono^{ble} yo^{r} hono^{rs}
most Humble serv^{t}
Will Tom

[1] Augustine Herrman.

Col. MSS. 20:24 (NYSL)

1671 Oct. 25

Addressed:

for the Right Hono^ble^
Collonell ffrancis Lovelace
Esq^ire^ Co̅mander in Cheife
of all the forces belonging
vnto his Royall Highnesse
[*Seal*] the Duke of yorke and
Governo^r^ of New yorke
these p^r^sent
I^m^

Endorsed: M^r^ Toms Letter
to the Governo^r^
Delaware — Oct^r^ 25
1671
about the
Murder.

Col. MSS. 20:39 (NYSL)

[Commissaries and Magistrates at Delaware to Lovelace.]

Right Hon^ble^

[1671 Oct. 25?] the Indyans not bringing in the murtherers according to their promise I went vp w^th^ M^r^ Aldricks to Peter Cocks and there called the Raedt together to informe yo^r^ hono^r^ what wee thinke most for o^r^ preserva c̅on and defence of the river

first wee thinke that att this time of the yeare itt is to late to begin a warr ag^t^ the Indyans the hay for o^r^ beasts not being to be brought to any place of safety and so for want of Hay wee must see them starve before o^r^ faces the next yeare wee can cutt itt more convenient

2^dly^ o^r^ corne not being thrashed or ground wee must starve

SIGNATURES OF COMMISSARIES AND MAGISTRATES
AT THE DELAWARE.

(Reduced from 7 by 7 inches.)

Opposite p. 603.

for want of provision w^ch this winter wee can grind and lay vp in places of safety Col. MSS. 20:39 (NYSL)

3^dly that there must vpon necessity a warr in the spring and by that time wee shall make so much as wee can prepar̃acon but wayte from yo^r hono^r assistance of men ammunition and salt [1671 Oct. 25?]

4^thly wee intend to make Townes att Passayvncke Tinnacombe Vpland and Verdrieties Hoocke whereto the out plantac̃ons must retire

5^thly wee thinke that yo^r hono^rs advice for a frontire about Mattinacunck Island is very good and likewise another att Wicaquake for the defence whereof yo^r hono^r must send men

Is there any thing else vnwritten wee have sent M^r Aldricks and M^r Helme to advice yo^r hono^r what is best to be done but intend to stop Thomas Lewes vntill yo^r hono^rs order for wee thinke itt not convenient any corne or provision be sent out of the river vntill this bruit be over for wee know not the next yeare whether wee shall have any corne or noe wee have not more att p^rsent but to informe yo^r hono^r that Cap^t Carr is not recovered but remayne

Right Hono^ble yo^r hono^rs
most humble serv^ts
Will Tom

that if possible there be Hired
fifty or sixty North Indyans
who will doe more then 200
men in such a warr

the m̃ke of X peter Rambo
the m̃ke of X peter Cock

H: Block
Henrich Janssen
Ed: Cantwell
M: Roseman
Dit is X het merck
van Ole torsẽ

Col. MSS. 20:39 (NYSL)

[1671 Oct. 25?]

Endorsed:

The Result & Reasons of the Comissaries & Magistrates at Dela-ware about Prosecucon of the warre against the Murderers

1673.[1]

G. E. 4:63 (NYSL)

Commission given to y^e^ Offic^rs^ at Delaware to try & putt to Death y^e^ Indyan Murtherers if to be taken or apprehended.

1671 Nov. 9

Whereas there hath lately been comitted a Barbarous & horrid Murd^r^ upon y^e^ persons of two Christians at Matiniconck Island in Delaware River by two Indyans well known in those parts, for y^e^ w^ch^ They have deserved Death; & since severall wayes & meanes have been and still are Ordered to be Endeavoured for y^e^ app^r^hending & taking y^e^ said Murderers alive (if possible) y^e^ w^ch^ may suddenly happen, & it being not thought safe to keep them in Prison soe long till Notice thereof bee given hither, but rather that speedy Justice & Execucon bee done upon them; I have therefore by and w^th^ y^e^ Advice of my Councell thought fitt to Authorize & Appoint, & by these p^r^sents doe Authorize & Appoint, & by these p^r^sents doe Authorize & Appoint y^e^ present Offic^rs^ & Magistrates in New-Castle & Delaware River, or any foure of them to bee a Speciall Court of Oyer & Termin^r^ to call y^e^ said Malefacto^rs^ before them, & if by Proofe or Confession they shall bee found guilty, That they receive y^e^ Sentence of Death, forthw^th^ to bee putt in Execu-

[1]This date is an error, as the document evidently was an enclosure in the letter from Tom to Lovelace of October 25, 1671.

c̃on; And for what They or any foure of them shall lawfully Act or Doe in prosecution of this my Commission, This shall bee to them or any of them a sufficient Warrant and Discharge. Given under my Hand, & Sealed w^th^ y^e^ Seale of y^e^ Province at fforte James in New Yorke this ninth day of Novemb^r^ in y^e^ 23^th^ yeare if this M̃a^ties^ Reigne, Annoq̃ Dm̃i 1671. G. E. 4:63 (NYSL) 1671 Nov. 9

[Francis Lovelace.]

Łre from y^e^ Governo^r^ to Cap^t^ Carr at Delaware, Dated Novemb^r^ 9^th^ 1671. G. E. 4:67 (NYSL)

Cap^t^ Carr.

The backwardness of y^e^ Inhabitants in Delaware has putt a stop to y^e^ forwardness of those in New Jersey who were ready w^th^ a handsome Party to have stept in y^e^ Worke to bring y^e^ Murderers to condigne punishm^t^. And truely I was much ashamed to see such an Infant Plantac̃on to outstrip us, who should have been rather an Example to others then to follow them; especially haveing y^e^ Countenance of a Garryson to Boote, & You y^e^ principall Officer; What Acco^t^ I shall give to his Royall Highness of this remissness I know not other, but to lay y^e^ blame where it justly is due; ffor, you to receive y^e^ Dukes pay constantly, & y^e^ appearance of Souldyers, and to lett y^e^ Forte runn soe miserably to Decay, & not employing them in y^e^ reparac̃ons when They did noe Duty is but just a perfect Rent Charge to y^e^ Duke; ffor it is not reasonable that his R: H^s^ should be at that Charge, only to allow you a Sallary & Souldyers, and noe ffruits appeare of their Labour and Industry; Tis otherwise soe at Albany, w^ch^ Garryson in noe respect exceeds yo^rs^, and yett Salisbury w^th^ his Men have made shift to refortify that place very secure; Besides y^e^ Inhabitants not soe much as digested 1671 Nov. 9/10

G. E. 4: 67 (NYSL) into any Military fforme, nor halfe of them Armed, though you have had annually Monitorˢ of yᵉ Murthers committed on yoʳ Inhabitants; Beleeve mee, This remissness will one day be calld upon; & how you will Answer it, you best know, though I feare.

1671 Nov. 9/10

What hath now been concluded on will be brought to you by Peter Aldrick, to wᶜʰ I expect a punctuall Complyance at yoʳ perrill. I intend early in yᵉ Spring to be wᵗʰ you, by wᶜʰ time I hope you will contrive it soe, that yᵉ Murderers may be brought in dead or alive, and likewise yᵉ former Murtherers of the Woman & Children at yᵉ Parde Hooke; Something must be done considerably to wipe off that Stayne of yoʳ Remissness, or I can not now determine what penaltyes may ensue; I have both formerly & now Transmitted all yᵉ Insolency of yᵉ Indyans to his R: Hˢ, whose Answʳ I expect, till when I say noe more on that Subject. I am

Yoʳ Loveing Friend
Fr: Louelace.

Forte James yᵉ
10ᵗʰ Novembʳ
1671.
My Love to all oʳ ffriends.

Col. MSS. 20: 25 (NYSL)

[Carr to Lovelace.]

Sʳ

1671 Nov. 27

I receaved your Honrˢ letter by Petter Aldricks wherin your Honʳ seemes to lay all the blame vpon me, for my remisnese in not getting the murtheres, both for the woman at Pertt hooke and allsoe for the murther now last Comitted, Sʳ as for the first when it was done I was comeing for new yorke, but hearing of that sad accident returned back,

Col. MSS. 20:25 (NYSL)

1671 Nov. 27

makeing your Hon^r acquainded of the murther, after which I receaved your Hon^r order for to gett the murtherers to be brought to Condigne punishment, your order I did follow, for I went vp the River to the Magastrats, who sent for the Sachams, who execusd themsealfs that his men had not done it another saied the like, I knew not the villans nor theyr names that Comitted the fact, soe that from the time I receaved your Hon^rs order I was Continualy aboue the River demaunding the murtherers with as much vigor as I could; I was not alone but the rest of the magastrats was there, soe that my Conscience shall wittnes that there was noe remisnes of my part, and I beseech god that all my sins be remitted soe Cleare as that, as for the last murthers Comitted I was at the same time desperat sicke, and hath Continued to this day that I haue not been without my doores; but I hope now Doctor Jardin is with me he will vsse his best skill to take away my violent fever, soe that I hope your Hon^r will excuse, what god doth inflict vpon me by sicknes, soe there could be noe remisnes of my part, in getting the last murtherers, being I was not able to sture abrood If any one can proue that I haue been backeward in not followeing your Hon^rs orders from time to time ore hath not done to the vtmost of my endeavouer to gett the murtherers, then lay a penalty vpon me, but not without Cause, allsoe lett me Answer for my sealf as for the backwardnes of the Inhabitants of this River in raiseing forces as well as new Jarsy your Hon^r must excuse me though the Cheife Comaunder, for I was not able to goe abrood, and trully new Jarsy had a great deale of reson being the murtherers liued within theyr Juradiction, when your Hon^r gaue me my first Instructions I was allowed twenty souldiers out of that number was discharged by Coll Nicolls and some by your Hon^r, fower died soe that we was reduced to ten, I had a

Col. MSS. 20:25 (NYSL)

1671 Nov. 27

strict orders from Coll Nicolls not to raise a man without your Hon^rs Consent which I observed, vntill your Hon^r gaue me order for raiseing of men when the woman and Children was murthered, and when I came last from thence, your Hon^r gaue me order to dismise them, which I did soe that your Hon^r will find by my account with M^r Bedloo that there is but ten old souldiers, and how it is posible for me with ten men to repaier such a decayed fortt whilst I was there it Cost me mony for the repaier of the houses, though your Hon^r knowes you could not ly dry in your bed when you lay there, had I a gaurd house, and souldiers sufficient to mount gaurds I should be as ready as any officer belongs to your Hon^r, soe that if I receave pay soe long as I haue Comision and being not reduced, we was sent over by his Royall Highnes for souldiers, and if I be able, and in health, I shall goe as farr to doe my Prince service, to any place where your Hon^rs order shall Comaund me, S^r Peter Alricks M^r Tom and the rest of the Swead magastrats spook with the Sachams, who promised by friday last to bring theyr heads but since heere is noe newes from aboue, but assoone as it come we will send your Hon^r the newes, I haue noe more but that I ame Your Hon^rs obedient servant

John Carr

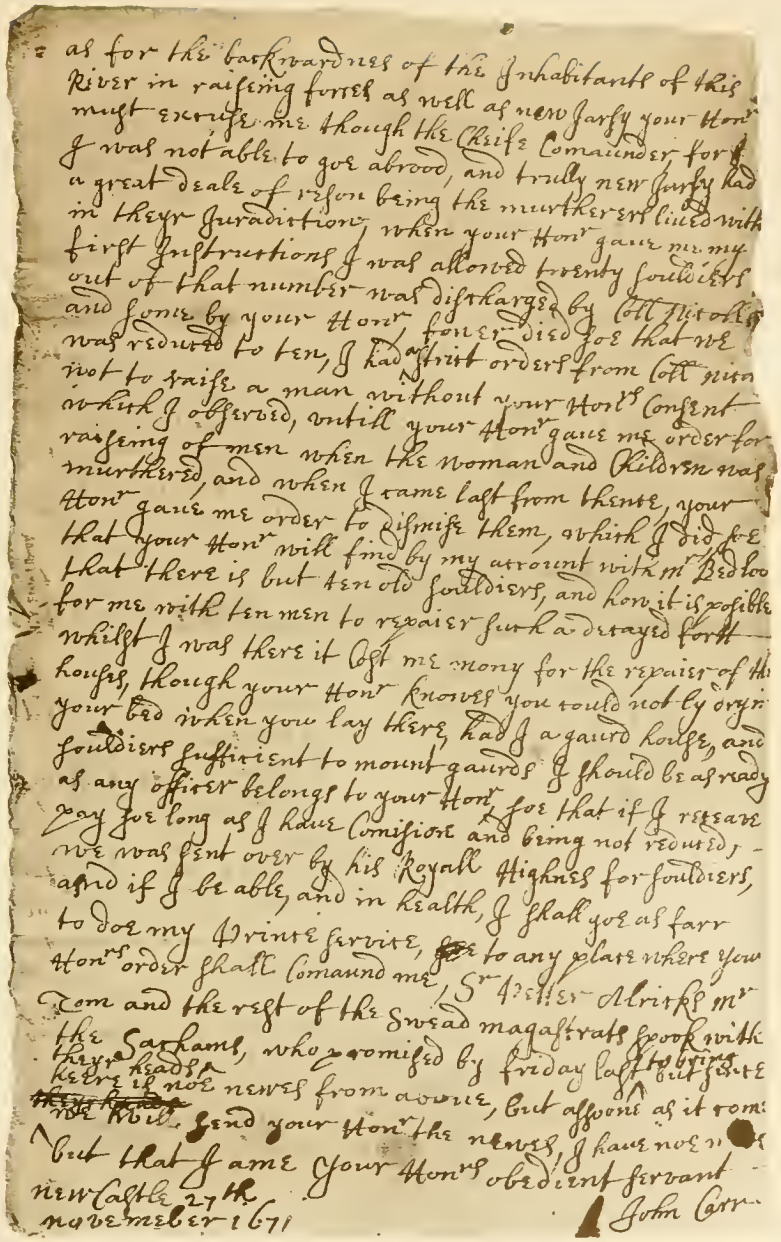
New Castle 27th
Novemeber 1671

Addressed:

Thesse
ffor Generall ffrancis
Louelace
New Yorke
[*Seal*]

Endorsed:

Capt. Carre to y^e
Governo^r Newcastle
Novemb. 27. 1671.



as for the backwardnes of the Inhabitants of this River in raiseing forces as well as new Jarky your Honr must excuse me though the Chiefe Comaunder for I was not able to goe abroad, and truly new Jarky had a great deale of reason being the murtherers lived with in theyr Juradiction, when your Honr gave me my first Instructions I was allowed twenty foulditers out of that number was dischargd by Coll Nicolls and some by your Honr soner died soe that we was reduced to ten, I had strict orders from Coll Nicolls not to raise a man without your Honrs Consent which I observed, untill your Honr gave me order for raiseing of men when the woman and Children was murthered, and when I came last from thence, your Honr gave me order to dismiss them, which I did for that your Honr will find by my account with Mr Bedlow that there is but ten old soulditers, and how it is possible for me with ten men to repaier such a decayed forte whilst I was there it cost me mony for the repaier of the houses, though your Honr knowes you could not ly on your bed when you lay there, had I a guard house, and soulditers sufficient to mount guards I should be as ready as any officer belongs to your Honr for that if I receave pay for long as I have Comission and being not reduced, we was sent over by his Royall Highnes for soulditers, and if I be able, and in health, I shall goe as farr as to doe my Prime service, for to any place where your Honrs order shall comaund me, Sr Peter Alricks Mr Tom and the rest of the Swead magistrats took with the Sarkams, who promised by friday last to bring heere if not newes from above, but affoord as it comes we will send your Honr the newes, I have not more but that I ame Your Honrs obedient servant

New Castle 27th November 1671

John Carr

SECOND PAGE OF CAPTAIN CARR'S LETTER TO GOVERNOR LOVELACE
November 27, 1671.

(Reduced from 13 by 8 inches.)

Coppy of y^e Łre from M^r Tom of Dellaware to his Hono^r y^e Governo^r

G. E. 4:74 (NYSL)

R^t Hon^ble

Recorded 1671 Dec. 15

About 11 dayes since that M^r Alrijck came from New Yorke, y^e Indyans desired to speake w^th us once more concerning y^e Murtherers; Whereupon They sent for mee to Peter Rambers, where comeing They faithfully promis'd w^thin y^e time of six dayes to bring in y^e Murderers dead or alive; Whereupon They sent out two Indyans to y^e stoutest to bring him in, not doubting easily to take y^e other, hee being an Indyan of little Courage; but y^e least Indyan getting Knowledge of y^e Designe of y^e Sachems, rann to Advise his ffellow, & advised him to runn, or else They should be both killed; who answered him hee was not ready, but in y^e Morning would goe w^th him to y^e Maques, and advised him to goe to y^e next House for feare of suspicion, w^ch hee did; and y^e two Indyans comeing to his House at Night, the one being his great ffriend, Hee asked him if hee would kill him, who answered, Noe; But y^e Sachems have Ordered you to dye; Whereupon hee demanded what his Brothers said, who answered They say y^e like; Then hee holding his Hands before his Eyes said — Kill mee: Whereupon this Indyan that comes w^th Cockee shott him with two Bulletts in y^e Breast, and gave him two or three Cutts with a Bill on y^e Head, & brought him downe to Wickakoe, from whence wee shall carry him To-Morrow to New-Castle, there to hang him in Chaynes; ffor w^ch wee gave to y^e Sachems five Match-Coats, w^ch M^r Aldrick paid them; when y^e other Indian heard y^e Shott, in y^e night naked as wee [*sic*] was, hee rann into y^e Woods; But this Sachem promised to bring y^e other alive; ffor w^ch wee have promised them three Match-Coats. The Indyans brought a great

G. E. 4:74 (NYSL)

Recorded 1671 Dec. 15

many of their young Men w^th^ them, & there before us They openly told them, That now They saw a Beginning; & all that did y^e^ like should be served in y^e^ same Manner; They promised before them and us, That if any other Murd^r^ were comitted by y^e^ Indyans upon y^e^ Christians, That They would bring y^e^ Murderers to us; How to believe this wee know not, but y^e^ Sachems seem to desire noe Warr. Wee have promised them That yo^r^ Hono^r^ will be over in the Spring; & y^t^ when yo^r^ Hono^r^ comes, yo^r^ Hono^r^ will bring over Thirty or fourty Horse, w^ch^ They need not feare, for that yo^r^ Hono^r^ will not trouble them if they hold y^e^ Peace, but Enter into a Treaty with them; The Stoppage of y^e^ Letter caused That yo^r^ Hono^r^ had not Tideings by Thomas Lewis. I shall not now give yo^r^ Hono^r^ any further Trouble at p^r^sent, untill farther Occurrences, but remaine

Right Hon^ble^
Yo^r^ Hono^rs^ most humble
Serv^t^
W^m^ Tom.

Wee have promised y^e^ Indyans that come over w^th^ these Lres each a Match Coate, & a Cleat-Cloth, w^ch^ wee desire yo^r^ Hono^r^ to pay there; The reason that wee promised is, That Cocke was unwilling to goe over in this juncture of time; not knowing how y^e^ young Men of y^e^ Indyans stood affected; Hee alwayes liveing by y^e^ Christians; Therefore wee sent one of y^e^ greatest Sachems Sonns, (by name Colecocum) to secure him and y^e^ Lett^rs^.

Entred y^e^ 15^th^ Decemb^r^
1671.

Coppy of y^e^ Governo^rs^ Lett^r^ sent to M^r^ Tom of Delaware, in answ^r^ to his Last. G. E. 4:78 (NYSL)

M^r^ Tom.

The wellcome Newes of y^e^ Success of y^e^ Indyan Affayre in yo^r^ parts came safely to my Hands by Cokee, by whom I returne this, & withall not only my approbac̃on in what you w^th^ y^e^ Co͂missaryes have Acted, but likewise my Thanks to you all for pushing of it to that Issue, w^ch^ if not vigorously performed would have render'd y^e^ Remedy more hazardous, if not desperate. I very well like yo^r^ Resoluc̃on of hanging up y^e^ Villaines Body in Chaynes, And I doubt not but the Novelty of it may produce good Effects, to restrayne the Exorbitancyes of any Indyans from the like Attempts. Tis more than probable that if the Blow were now a little followed (whilst y^e^ Savages labour under great ffeares) That the Murtherers that committed that horrid Act at Parde-Hooke might taste y^e^ same Fate w^th^ him you have designed for to hang in Chaynes; & therefore if y^e^ Villaines can be heard off, make y^e^ like Challenge of them to y^e^ Sagamores you did for the last, but this must bee whilest y^e^ ffame of y^e^ last Action continues fresh, otherwise I feare it may prove fruitless. If y^e^ other Villaine be delivered to you alive, lett him suffer in y^e^ most Exemplary way that may bee, Leaving y^e^ manner & place to yo^r^ selfe: And pray lett mee heare from you. In y^e^ Spring I purpose to see you, but shall finde a way to advertize you timely before hand. In y^e^ meane time, God preserve you all in Peace and Happynesse, w^ch^ is y^e^ hearty Desire of 1671 Dec. 22

Yo^r^ affec̃^ate^ ffriend
Fran: Louelace

fforte James. y^e^ 22^d^
of December 1671.
My Service to Cap^t^ Carr
& all o^r^ ffriends.

No. LV.

NEW YORK CITY — AFFAIRS OF THE SHIP "EXPECTATION"

G. E. 4:93 (NYSL)

An Ordr to Mr Van Ruyven, requireing him to give Mr Melijen his Dispatch.

1671/2 Jan. 18

Whereas the Ship the Expectacõn whereof Isaack Melijen is Part Owner and Commander, hath been questioned in this Porte to be an unfree Shipp, but by a Speciall Court of Oyer and Terminer was Cleared and adjudged to bee a ffree Shipp, which Judgmt of Court I have allowed & approved of, These are to Advertize you that you may give the said Ship her Dispatch; Mr Melijen giveing Security to returne back with her to this Porte. Given under my Hand at Forte James in New Yorke this 18th day of January 1671.

Fran: Lovelace.

To Mr Cornelijs Van Ruijven
Collector of the Customes.

G. E. 4:93 (NYSL)

[Registration of Isaac Melyn's Bond.]

Janry ye 19th 1671.

1671/2 Jan. 19

Memdm this day Mr Isaack Melijen Commandr of ye good Ship the Expectation bound for Nevis Enter'd into an Obligation (with Jacob Kip his Security) of 500li to the Governor to returne hither againe within one yeare & six Weeks after the Date hereof.

[Sailing Pass for the Ship "Expectation."]

G. E. 4:96 (NYSL)

Janr.y ye 24th 1671.

Pass granted to ye Shipp Expectacon (Isaack Melijen Commander) to sayle hence for Nevis in ye West Indyes, & to returne againe &c:

1671/2 Jan. 24

[Declaration concerning the Ship "Expectation."]

Deeds 3:145 (Sec. State)

Novem: 18th 1672

Recorded for Mr. Melijen & Company of the Ship Expectation.—

This day appeared before mee John Rider Publique Notary in this City of New Yorke, Thomas Williams Commandr. of the Ship Expectation & Charles Bollen his Mate, in the behalfe of themselves & Ships Company to make a Solemn Protest as followeth; (to say They sett Sayle the 2d day of this instant, from this Road to Staten Island, & on ye 4th finding noe Insufficiency in the said Ship did weigh, & sayle out to Sea fully intending to proceed on their Intended Voyage for Barbados, & about Eight of the Clock that night doe declare, that they sounded the Pump, & found about five or six Inches Water, Then they sayled from Eight till Twelve that night, Topsailes abroad, Then handing ye Topsailes wch by stress of Winde, Weather, & Grown Seas they could noe longer beare; However they neglected not their Charge or Care, but sounded the Pump againe, & found little or noe increase of Water, by wch they cannot complayne of the said Ships Insufficiency; soe they ran under a paire of Courses untill Eight next Morning, Then without sounding sett the Pump to worke till it suckt; betwixt Eleven

1672 Nov. 9 — Recorded 1672 Nov. 18

Deeds 3: 145 (Sec. State)

1672 Nov. 9

Recorded 1672 Nov. 18

& Twelve they sounding to see if there were Occasion to Pump, they found foure foot Water in the Hould, upon wch they handed the ffore-Saile, laying their Ship upon the Larboard side, then pump't her againe untill shee suckt, & sayled soe for halfe an houre, & made noe Water in the Hould; then they finding Occasion to tack, & bring her againe on the Starr board side shee presently took in Water as aforesaid, upon wch at the request of all the Merchants, & full Consent of ye whole Company, who adjudged the Stress of Winde & Weather was the only Cause, they bore up the Helme for this Porte, for prservacon of their Lives; Therefore I the abovesaid Notary doe hereby in behalfe of the Owners, Commandr, Mate, & their Company solemnly protest against the Winde & Seas as the only Occasion of what Damage may arise, & against all Damage or Damages that by this danger of the Seas (wch is allwayes excepted) any Merchant or ffreighter shall pretend to or sue for, either for the insufficiency of the said Ship, or Disability of Men for not proceeding on the Voyage aforesaid, the wch the Commander, Mate & Company will depose to bee the Truth, when thereunto required, To wch publick Instrumt of Protest I have hereunto sett my Hand & Seale this 9th day of Novembr in ye 24th yeare of his Mãties Reigne, Annoqꝫ Domini 1672.

(Seale)

Jo Rider
Not. pub:

This Protest was acknowledged by ye Comander & Mate to bee just before mee ye day above-written, & entred in the Office of Records at fforte James in New Yorke.
Matthias Nicolls Secr.

The Governo[rs] Approbacon, that y[e] Difference depending between Isaack Melijen & y[e] ffreight[rs] bee decided by Arbitrato[rs]

G. E. 4:242 (NYSL)

1672 Dec. 16

Whereas there hath been a Difference depending between the Mast[r] & ffreighters of the Ship Expectation now riding in this Harbour, the w[ch] although referred to severall judicious persons to endeavour a Composure, & also a Tryall had thereupon at y[e] Mayo[rs] Court of this City, could not bee hitherto issued or attaind unto, & since the persons concerned on both parts having againe made their Applicacons unto mee that foure persons on each side might bee nominated and appointed as Arbitrato[rs] to hear & determine y[e] Matter in Controversy, whose Award they have promised to enter into Bond that they will stand unto; I doe hereby give Approbacon of the Proposall made, & the Gentlemen whose names are here under written (the denomination of them having been given in & consented unto by the persons concerned) are hereby desired to meet about the same this Afternoone, or at their first convenience, that soe a Determinacon may bee had & made to this Affayre without farther delay. Given &c: this 16[th] day of Decemb[r] 1672.

[Francis Lovelace.]

The Names of y[e] Arbitrato[rs]

M[r] Jn[o] Laurence — Mayo[r]	M[r] Cornelis Steenwijck
Cap[t] Thomas De-Lavall	M[r] Matthias Nicolls
Cap[t] Jn[o] Berry	M[r] ffranc: Rombout
Cap[t] W[m] Condey	M[r] Guijlaine Verplanck

No. LVI.

DELAWARE — THE SLOOP "ROYAL OAK," THOMAS LEWIS, MASTER, PERMITTED TO TRADE ON THE DELAWARE RIVER.

G. E. 4:49 (NYSL

Pass for Thomas Lewis his Sloope to Delaware. Septemb^{r} y^{e} 29th. 1671.

1671 Sept. 29

Permitt and Suffer y^{e} Sloop y^{e} Royall-Oake whereof Thomas Lewis is Master, to Pass out of this Porte with her Goods, Loading, and Company to New Castle in Delaware Bay, and (at this particular juncture of time) from thence to goe up y^{e} River to Trade and Traffick as y^{e} said Master's Occasions shall require, notwithstanding any Generall Order or Prohibic̃on heretofore made to y^{e} Contrary. Given under my Hand at fforte James in New Yorke this 29th day of September 1671.

Fran: Louelace

To all whom this
may concerne.

G. E. 4:64 (NYSL)

Thomas Lewis being stopt (wth his Sloope) at Delaware is hereby freed, & hath Liberty to returne &c:

1671 Nov. 9

Whereas Thomas Lewis had my Pass-porte to sayle wth his Sloope to New Castle in Delaware, wth Lycence from thence to goe up y^{e} River to Trade & Traffick as his Occasions should require (at this particular Juncture of time) notwithstanding any Gen̄^{ll} Ord^{r} or Prohibic̃on heretofore made to y^{e} contrary; And y^{e} said Thomas Lewis being now in y^{e} said River with his Sloope, where hee is stopt by Ord^{r}

from y^e^ Offic^rs^ there; These are to Ord^r^, That y^e^ Stopp be taken off y^e^ said Sloope, y^e^ said Thomas Lewis for this p^r^sent Voyage haveing Liberty to returne back to this Porte with his Sloope, & Loading, whither of Corne, Provision, or Merchandize without any farther Lett, hindrance, or Molestac̃on. Given &c: this 9^th^ of November 1671. G. E. 4:64 (NYSL) 1671 Nov. 9

ffran: Louelace

To y^e^ Offic^rs^ at Delaware
or whom else this may concerne.

No. LVII.

NEW YORK CITY — DUTCH REFORMED CHURCH.

An Ord^r^ about y^e^ Dutch Church in this City of New Yorke. G. E. 4:47 (NYSL)

Whereas y^e^ Offic^rs^ of y^e^ Reformed Dutch Church in this City have Requested mee that y^e^ p^r^sent Elders & Deacons, & those that from time to time shall succeed them in their Places may be Empowered to make a Rate or Taxe amongst y^e^ Inhabitants, and those that shall frequent y^e^ Church in y^e^ best and most convenient manner they can devise for y^e^ Maintenance of their Minister or Minist^rs^, y^e^ Clarke, or other Offic^rs^ of y^e^ Church, & y^e^ poore, As also for y^e^ reparac̃on of y^e^ Church as Occasion shall require; I have thought fitt to Grant their Request, and y^e^ p^r^sent Elders and Deacons have hereby full Power & Authority to make such a Rate or Tax, and to Levy the same (after my Approbac̃on had thereupon) & thereof to Dispose to y^e^ uses aforemenc̃oned: And for what They shall lawfully Act or doe in prosecuc̃on 1671 Sept. 26

G. E. 4:47 (NYSL) of y^e p^rmisses, This shall bee to them a sufficient Warrant & Discharge. Given under my Hand at Forte James in New Yorke this 26^th day of September in y^e 23^th yeare of his M^ãties Reigne, Annoq̃ Dñi 1671.

1671 Sept. 26

ffran: Louelace

No. LVIII.

GRAVESEND — NEGLECTFUL IN ERECTING TOWN FENCES.

C. A. 2:504 (NYSL)

An Ord^r to y^e Constable & Overseers of Gravesend concerning making good of y^e Fences there.

1670 Apr. 13

Whereas I haue receiued a Complaint from y^e Justice of peace in yo^r Towne That y^e Corne feilds there are full of Cattle horses & hoggs for want of Lawfull fencing so that it's apprehended there will be this yeare neith^r plowing nor sowing there w^ch will not onely be to y^e Dam̃age of y^e Inhabitants in perticuler, but also proue to y^e p^rjudice of y^e Publique These are strictly to injoyne & require yo^u to take such speedy ord^r therein that y^e Lawes concerning fencing be put in Execution wherein there is a sufficient course & care taken for any thing that can be objected to y^e contrary, that you will be left w^thout Excuse if yo^u see it not perfourmed effectually y^e w^ch will be at yo^r utmost perills, Given und^r my hand at Fort James in New Yorke this 13^th day of Aprill 1670.

[Francis Lovelace.]

To y^e Constable & Overseers of Gravesend.

No. LIX.

BROOKLYN — CONFISCATED LAND OF CHARLES GABRY.

[Petition from Constable and Overseers of Brooklyn.] Col. MSS. 22:121 (NYSL) Dutch

1671 Nov. 17

Requeste

Met behoorlijcke Reverentie aen den Wel Edel Hoogh gebooren: Heer: Onsen Heer Gouvern[r] Wij V Edel: Ondersatē des dorpe Breuckellen: geven reverentelyck te kennen als dat een seecker stuck Landt ofte Bosch Landt is geleegen bij ofte [o]ntrent den dorpe Breuckellen voorsz: alwaer een seeckere swamp ofte valeije is toe gehoorende ende alsoo het selve niet en wert ofte is gepossideert in den tijt van 15 a 16 Jaeren geleeden oovermits den Eijgenaer Is V̈trocken naer Hollant ofte patria: soo dat oversulckx het voorsz Lant ofte valeij streckt tot groote prejuditie ende schaade voor de Gemeente alsoo Jnde

Translation:

Petition [presented] with due reverence to the Right Honorable Governor our Master:

We, your excellency's subjects of the village of Breuckellen, respectfully represent that a certain piece of land or woodland is situated near or adjacent to the village of Breuckellen aforesaid, to which belongs a certain swamp or meadow, which is not and has not been occupied for the period of the last 15 or 16 years, because the owner has gone to Holland or his country, with the result that the aforesaid land or meadow tends to the great prejudice and damage of the community, inasmuch as many horses and cows have been smothered in the said meadow, the same

Col. MSS. 22:121 (NYSL) Dutch

selve valeije voorsz veele Ÿscheijde soo paerden als koij beesten syn gesmoort Ÿmits tselve niet en wert Affgeheijnt e n d e a l s o o Ÿscheijde Jngeseetenen aen onse voor Leede geweesene Constapels ende Opsienderen hebben Ÿsocht ende aengeklaecht om sulcke schaade eñ Onheyle voor te coomen, ende alsoo de gedachte Constapels eñ Opsienderen in het selve niet en hebben ofte connen doen soo heeft Onsen tegenwoordigen Er: Gerechte den Constapel ẽ Opsienders door groote noodicheijt goet gedacht haer te Adresseeren aen Onsen gedachten Heer Govverneur op dat met Approbatie van sijne Edelht het voorgeseijde Lant eñ valeije werde Ÿgunt, ende toegestaen aen eenige van Onse tegenwoordige Jngeseetenen die het selve valeije Ÿsoecken aff te heyninge Ÿmits tselve machten Jn rechten eijgendom genieten ende mochten gebruijcken, soo Js dan onse Ÿsoeck aen V E Wel Edele Heer Gouvert

1671 Nov. 17

not being fenced off; and whereas several inhabitants have petitioned and remonstrated to our former Constables and Overseers to prevent such damage and mischief, and whereas the said Constables and Overseers have not or could not take any action in the matter, our present Hon. Court, the Constable and Overseers, in view of the great need, have thought proper to address themselves to our said honorable Governor, in order that with the approbation of his honor, the aforesaid land and meadow may be granted and given to some of our present inhabitants, who ask to fence off the said meadow, provided they may possess and use the same in lawful ownership; our request, therefore, to you, Right Hon. Governor, is that you will grant this to our community, in order that we may be relieved from such damage. Which doing, etc., and remain, your honor's dutiful humble subjects.

desen onse gemeente te Ꝟgunnen op dat wij moogen bevrijdt werden van sulcke schaade dit doende etz: ende blijve V Edele
Dienstwillige Onderdaenen:
Ten Ꝟsoeck Van den Constapel eñ Opsienders Onderteeckent
V Edele OnderdaenigDienaer
Dirck Storm Secretˢ

Actum Breuckellen
17ᵉ Novembʳ 1671

At the request of the Constable and Overseers signed,
Your honor's humble servant,
Dirck Storm, Secretary

Col. MSS. 22: 121 (NYSL) Dutch
1671 Nov. 17

Done at Breuckellen
17 Novemb̃er 1671

Endorsed:

A Petic̃on from Breucklyn.
This was recom̃ended from the Governoʳ & Councell to the Coᵘʳᵗ of Sessions & from them to 2. or 3. Justices
&c.
Gabry
P. Leenderts̃.

[Proceedings of Brooklyn about the confiscated Land.]

Col. MSS. 22: 145 (NYSL) Dutch

Voor den eersten
Ter Ꝟgaaderinge Van Con-

Translation:
[Met] for the first [time].
At the meeting of the Con-

1672/3 Jan. 5

Col. MSS. 22:145 (NYSL) Dutch

1672/3 Jan. 5

stapel ende Opsienders ende Jnwoondere des dorpe Breuckelen Js geresolveert om een Requeste te leeveren aen den Wel Ed: Heer Gouvernr wegens het Landt eertijts toebehoorende Sr Carel Gabree:

ten tweede Reijs

De Apostille Van den Wel Edelen Herr: Gouvernr ende sijnen Edel: Raade: ontfangen Hebbende, Sijnde voorgemelte Jnwoonderen door Versoeck van mij Ondergesz: te saemen Vergaadert ende den Jnhouwt van de [ge]melte Apostille verstaen hebbende geresolveert om te Versoecken voor de Ed: Sessions om [h]et [voo]rgeseijd[e] Landt ende aengehoorende Valey en Swamp voor een seecker penningh voor erffrecht te coopen ende syn daer toe geouthoriseert in persoone Dirck Storm: ende Jan Cornelisse Buijs ende Dirck Janssen

Voor de derde Reijs

De gemelte persoonen wederom gecoomen sijnde

stable and Overseers and inhabitants of the village of Breuckelen, it is resolved to present a petition to the Hon. Governor in regard to the land formerly belonging to Mr. Carel Gabree.

The second time.

The answer of the Hon. Governor and his Hon. Council having been received, the aforesaid inhabitants met at the request of me, the undersigned, and, having understood the contents of the said answer, resolved to apply to the Hon. Sessions to purchase the aforesaid land and the adjoining meadow and swamp in perpetual fee for a certain sum, and authorized thereto in person Dirck Storm, Jan Cornelisse Buijs and Dirck Janssen.

For the third time.

The said persons having come again, made a verbal

hebben ter Ꝟgaaderinge van de voorgeseijde Jnwoonderen Relaes mondelings gedaen ende waer op de geheele Ꝟgaaderinge hebben nochmaels geresolveert om t voorgeseyde Landt ende valeije te coopen voor de Somma van drie hondert gulden Jn dien het den Wel Ed: Heer: daer voor gelieffde aen ons te Ꝟ[coopen] ende sijn van de Jngeseetenen daer toe geou[thoriseert] Den Constapel eñ Dirck Jansse Op[siende]r eñ [*mutilated*].

Voor de Vierde Reijs

Door Ꝟloop van tijt sijn door Ꝟsoeck van mijn ondergesz: de gemelte Jngeseetenen wederom Ꝟgaedert Except Capt. Hainelle ende het voorige Raport Van de Edel: Sessions voor gedraegen hebbende als vooren syn dese naervolgende persoonen geresolveert om uijt te scheijdē met naeme Jan Cornelisse Buijs ende Jan Cornelisse Daemen, en Hendrick Claesse ende Wijnant Pietersse, en Sijmon Claessen ende Johannes Marcusse

report to the meeting of the aforesaid inhabitants, whereupon the meeting once more unanimously resolved to purchase the aforesaid land and meadow for the sum of three hundred guilders, if his honor were willing to sell it to us for that [sum], and the inhabitants authorized thereto the Constable and Dirck Jansse, Overseer, and . . .

Col. MSS. 22: 145 (NYSL) Dutch

1672/3 Jan. 5

For the fourth time.

In the course of time, the aforementioned inhabitants again met at the request of me, the undersigned, except Capt. Hainelle, and the previous report of the Hon. Sessions having been submitted as before, the following persons resolved to withdraw, namely: Jan Cornelisse Buijs and Jan Cornelisse Daemen, and Hendrick Claesse and Wijnant Pietersse, and Sijmon Claessen and Johannes Marcusse and Susanna Dubbels, while previously

Col. MSS. 22: 145 (NYSL) Dutch

1672/3 Jan. 5

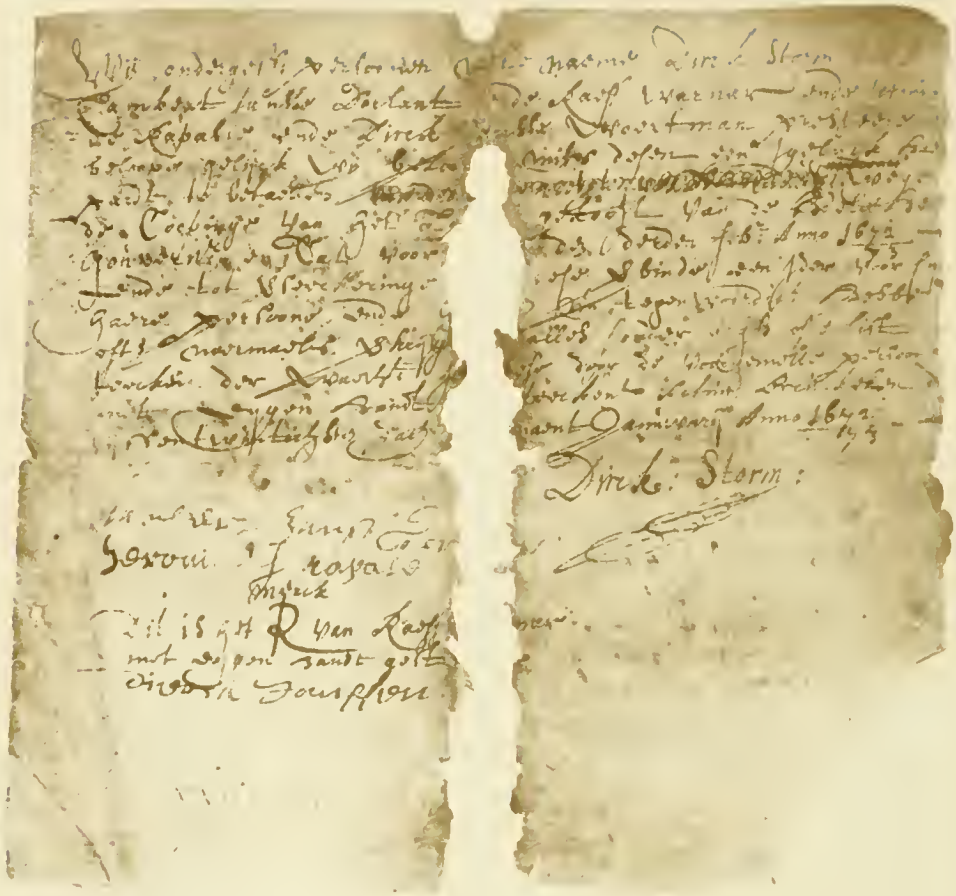
ende Susanna Dubbels, ende te voorens is uijtgescheijde Albert Cornelisse ẽ Joris Jacopsse eñ fredrick Lubbertsse ende de voordre persoonẽ ofte ingeseetenẽ met naeme Dirck Jansse eñ Lambert Jansse Dorlant eñ Raaff Warnar: ende Jeronimus de Rapalie en Dirck Storm syn geresolveert de gu[nst] van den Edeł: Heer Gouvernr eñ Sijnẽ Raade met eerbiedich[eijt] te Ywachtẽ, Ymits wij sijnde ende sullen Yobligeert blijven tot Danckbaerheijt t voorsz: Landt te betaeł soo ende als tselve in billickheijt van Onsen Wel Ed: Heer: Gouvernr aen ons te doen sal werden geordineert, ende blijve naer Eerbiedeł groetenisse V Ed: Achtbaere: Dienstwillige Onderdaan[en]

had withdrawn Albert Cornelisse and Joris Jacopsse and Fredrick Lubbertsse, and the remaining persons or inhabitants, namely, Dirck Jannse and Lambert Jansse Dorlant and Raaf Warnar and Jeronimus de Rapalie and Dirck Storm, resolved to await respectfully the favor of the Hon. Governor and his Council, and we are and in gratitude shall be bound to pay for the aforesaid land such sum as our Hon. Governor in equity shall order us to do, and with respectful salutation, we remain your honor's obedient humble subjects,

met naeme
- Raelph Warnar
- Lambert Jansse Dorlant
- Dirck Jansse
- Jeronimus De Rapalie
- Dirck Storm

namely
- Raelph Warnar
- Lambert Jansse Dorlant
- Dirck Jansse
- Jeronimus De Rapalie
- Dirck Storm

Opposite p. 625.



BOND FOR PAYMENT OF CONFISCATED LAND IN BROOKLYN.

In Dutch—January 25, 1672/3.

(Reduced from 6½ by 7 inches.)

Op Breuckelẽ
dẽ 5^{n} Januw
A^{o} 1672.
73

Torconde der Waerhet
by mij Onderteeckent
[*Not signed*]

At Breuckelen
the 5th of January
A^{o} 1672
73

In testimony of the truth,
signed by me,
[*Not signed*]

Col. MSS. 22:145 (NYSL) Dutch

1672/3 Jan. 5

Endorsed:

Breucklyn papers

[Bond for Payment for the confiscated Land.]

Col. MSS. 22:146 (NYSL) Dutch

1672/3 Jan. 25

Wij ondergesz: persoonen met naeme Dirck Storm ende Lambert Jansse Dorlant ende Raeff Warnar ende Jeroni-[mus] de Rapalie ende Dirck Jansse Woertman presteere e[nde] beloove gelijck wij beloov[e] mits desen een Jgelijck haer pardt te betaellen wegen[s] de Coopinge van het La[ndt] gekocht van de Edele Heer Gouvern^{r} en dat voor [ofte op] den derden feb^{r} Anno 1672 ende tot
73
Vseeckeringe [van] dese
Vbinde een Jder voor sij[n pardt] haere persoone

[40]

Translation:

We, the underwritten persons, namely: Dirck Storm and Lambert Jansse Dorlant and Raeff Warnar and Jeroni[mus] de Rapalie and Dirck Jansse Woertman, offer and promise, as we hereby do promise to pay, each his part, of the purchase money of the land bought from his Hon. the Governor, and that before [or on] the third of February Anno 1672,
73
and for security hereof each pledges for his part his person and property, whether now owned or to be acquired

Col. MSS. 22:146 (NYSL) Dutch

1672/3 Jan. 25

ende g[oeder]ẽ nu tegenwoordich hebbe[nde] ofte naermaels Ẅkryg[ende] alles sonder argh ofte list [Ten] teecken der waerhᵗ Js dese door de voorgemelte persoone met eygen Handt [onder]teeckenᵗ Actum Breuckelen d[en] vijffentwintichsten dach [der] maent Januwarij Anno 1672.

73

Dirck: Storm:
lambert Jansz Dorr[lan]t
Jeronimus rapale
merck
Dit is het R van
Raeff [War]nar met
eygen handt geste[lt]
dierck Janssen

in the future, all without guile or deceit. In token of the truth, this is signed by the abovementioned persons with their own hands. Done at Breuckelen, the twenty fifth day of the month of January Anno 1672.

73

Dirck Storm
Lambert Janssen Dorr[lan]t
Jeronimus Rapale
mark
This is the R of Raeff
[War]nar made with his
own hand
Dierck Janssen

Endorsed:

Dirck Storm[’s bond]
about the La[nd]
at Breucklyn
for the Town

G. E. 4:257 (NYSL)

An Ordr for yᵉ laying a Quit-Rent, upon a piece of Land at Breucklyn, confiscated to his Mãᵗⁱᵉˢ use.

1672/3 Feb. 7

Whereas upon yᵉ Petiĉon of severall of yᵉ Inhabitants of Breucklyn, that there being a Lott of Land having a

Swamp in it heretofore belonging to Charles Gabry, but was confiscated to his Mãties use, wch lyeing neglected & unfenct was a great prejudice to the Towne, but if manured & improved would redound to their Advantage; The said Inhabitants making Offer to make paymt of a moderate Sume of Money for the same; All wch was referr'd to the Court of Sessions at Gravesend who recommended it to two or three of the Bench to treat wth those concerned of Breucklyn thereabout; These are to Appoint and Empower you Mr Cornelis Van Ruijven & Mr Matthias Nicolls at yor first convenience to repaire to the fferry of the Towne there to treat wth the said persons, & Agree wth them either for a certaine Quit Rent annually to bee paid, or some reasonable Sume to bee forthwith paid for the same in Corne, & upon yor returne thereof unto mee, I shall bee ready to make such Confirmacon of it as shall bee requisite. Given under my hand at ffort James in New Yorke this 7th day of ffebry. 1672.

G. E. 4: 257 (NYSL)

1672/3 Feb. 7

[Francis Lovelace.]

[Adjustment concerning the confiscated Land.]

Col. MSS. 22: 148 (NYSL)

Whereas I was employed & entrusted by the Governor with mr Cornelijs Van Ruyven, to treat & agree with some of the Inhabitants of Breucklyn, who had made Request for a Lott of Land & Meadow within the precincts of the s[aid] Towne heretof[ore] belonging vnto Charles Gabry of Holland, but was confiscated in the Last Warre, & lay neglected & unfenct to their great prejudice, for & concerning the which I made an agreement with the said persons the which was approved of by the Governor: These presents

1673 July 12

Col. MSS. 22: 148 (NYSL) testify, That I haue received full satisfaction for & concerning the premises of Captn Mic[hell] H[e]ynelle & Mr Ralph Warner on the behalfe of themselves & Company, where-
1673 July 12 upon I haue delivered them all the writings left in my hands thereunto relating, & will endeauor to procure for them such further Confirmacon as shall bee thought requisite: Given under my hand in New Yorke. The 12th day of July, 1673.

M[a]tthias Nicolls [Se]cr

[For] Heynelle & Mr Ralph Warne[r]

G. E. 4:287 (NYSL) Endorsed on the Dutch Patent or Ground briefe, granted by Governor Kieft unto Willem Cornelissen, Febr. 19th 1646, & by him transported to Charles Gabry, June 23d 1654, as attested by Cornelijs Van Ruyven Secr. as followeth, viz.

1673 July 12 The piece of land & Meadow or Valley wth in the Limitts of Breucklyn herein menconed, being confiscated as belonging to Charles Gabry, a subject of the States Genll, & an Inhabitant in Holland in the time of the late Dutch warre; Vpon severall Complaints that the same lyeing neglected & unfenc't was very prejudiciall to the Towne, and Applicacon being made for its redresse, To the End aforesd, The Governor hath consented & granted, that the same shall bee & remaine to the use & behoofe of the Undertakers, vizt Capt. Michael Heynelle, Dirck Jansen & Jeronymus de Rapalye Inhabitants of the said place, & to their heyres &

assignes for ever: Dated in New Yorke the 12th day of July 1673. G. E. 4:287 (NYSL)

By order of the Governor
Matthias Nicolls. Secr. 1673 July 12

No. LX.

BROOKLYN — FREDRICK LUBBERTSEN *vs* MICHIEL HEYNELLE.

An Order concerning Michael Haynell & ffrederick Lubbertss. touching Comonage for Cattle. C. A. 2:556 (NYSL)

Whereas there was a Certaine matter in Dispute betweene Michael Haynell & Frederick Lubbertss. both of ye Jurisdiction of Breucklyn touching certaine Comonage wch ye said Michael Haynell claymed upon ye land belonging to Frederick Lubbertss. It was this day mutually agreed upon before me being wth diuers others upon ye place, That for ye Convenience of ye said Michael Haynell he being so farre remote from any othr Comonage, The said Haynell shall duering ye tyme he injoyes ye farme where he now resides haue liberty to put into Frederick Lubberts neck of Land wthin ye fence next unto him his home Cattle That is to say. 8. milch Cowes, 2. working Oxen & one Saddle horse, But in regard ye Land doth properly belong to ye said Frederick Lubbertss as by his Patents & long possession doth appeare, & that he is to maintaine ye fence & pay the rates for ye same. It is thought fitt, That as an Acknowledgmt thereof ye said 1670 June 27

C. A. 2:556 (NYSL) Michael Haynell do for every beast he puts upon y^e^ said Land pay to the said ffrederick Lubbertſ or his Ord^r^ Three Guild^rs^ Seawant, & for his horse six Guild^rs^ ℔ Annñ, And

1670 June 27 that this is not to be taken as a President for any one else to expect y^e^ like but merely for an Accomodation, & to supply the necessity of y^e^ said Michael Haynell upon y^e^ farme where he now dwells, Given und^r^ my hand at ffort James in New Yorke this 27^th^ day of June 1670.

[Francis Lovelace.]

G. E. 4:59 (NYSL) An Ord^r^ on y^e^ behalfe of ffredrick Lubbertſ concerning him & Michaell Heynell of Breucklyn.

1671 Oct. 25 Whereas Comp^lt^ is made unto Mee by Fredrick Lubbertſ. who lives w^th^in y^e^ Jurisdiction of yo^r^ Towne that notwithstanding y^e^ Agreem^t^ made before mee between him y^e^ said ffredrick & Michaell Heynell his Neighbour, wherein y^e^ said Heynell was restrayned to a certaine Numb^r^ of Cattle & Horses to be putt upon y^e^ said ffredricks Neck of Land, ffor w^ch^ by my Ord^r^ a certaine Consideracon was yearely to be paid; These are to require you That you forthwith take two of y^e^ Overseers to your Assistance, & make Enquiry into y^e^ Truth of y^e^ Matt^r^, & if it bee as is alledged, That you forewarne y^e^ said Michaell Heynelle from soe doeing, and render mee Acco^t^ thereof; And for soe doeing This shall bee yo^r^ Warrant. Given under my Hand at fforte James in New Yorke, this 25^th^ day of October 1671.

[Francis Lovelace.]

To y^e^ Constable of Breucklyn.

No. LXI.

NEW YORK CITY — REV. JACQUES ROULLAUD AND FRENCH PROTESTANTS.

[Passenger List of the Ship "Grace."] G. E. 4:80 (NYSL)

The Names of y^e^ Passenger^rs^ that went home in the Ship y^e^ Grace of London. are [1671 Decem.]

M^r^ Nicholas de Meijer
M^r^ Paulus Richards.
D^o^ Jaques Roullaud [1]
Joħes Hardenbrooke
Joħes Whitthart.

The Governo^rs^ Answ^r^ to D^o^ Jaques Roulauds Request, y^e^ ffrench Minist^r^ G. E. 4:79 (NYSL)

The Request herein written of Mons^r^ Jacques Roullaud tending to y^e^ gen^rll^ Good of this his R: Highness Province, I have thought fitt to Grant it as farr as in mee lyes, w^ch^ will bee Effectuall to y^e^ three latter Proposalls, & for y^e^ first shall recommend it to his Royall Highness, who probably may prevayle therein. As to all other Matt^rs^ there shall bee wanting noe due Encouragem^t^ from mee. Given under my Hand at ffort James in New Yorke the 22^th^ day of December. 1671. 1671 Dec. 22

Fran: Louelace

[1] A passport was granted to the Rev. Jacques Roullaud, on December 19, 1671, "to goe home" in "the Good Ship y^e^ Grace, Claes Verbraeck Command^r^ now Bound for England and Holland."—*General Entries*, vol. 4, p. 77.

No. LXII.

NEW YORK CITY — PROCLAMATION ABOUT UNFENCED LOTS.

G. E. 4:97 (NYSL

A Proclamation requiring such Persons as have Lotts of Land about this City unfenct, that they bring in their Claymes or p^r^tences &c: to y^e^ Secretaryes Office, by y^e^ 1^rst^ of March.

1671/2 Jan. 25

Whereas there are diverse Lotts of Ground within this City & Precincts, w^ch^ heretofore have been fenct in & built upon, but haveing been neglected are fallen to Ruine & Decay, & soe lye in Common without any Care taken of them, & there haveing been likewise Graunts & Patents for severall Lotts of Land in & about y^e^ City, w^ch^ never yet were fenct in or improved; To y^e^ End the vacant Lotts & Houses fallen to decay & left neglected in the City, may bee fenct in & rebuilt upon, & those other Lotts some way improved according to y^e^ Intent of y^e^ Graunts & Patents given to y^e^ respective Persons for y^e^ same; I have by & w^th^ y^e^ Advice of my Councell thought fitt to Order Publish & Declare, That all persons whatsoever who have any Clayme or p^r^tence to any such Lott of Ground w^th^in this City or precincts, w^ch^ formerly hath been fenct in & built upon, but now lyes neglected, or for the w^ch^ there are Graunts & Patents, but never were fenct in or improved, That they bring into y^e^ Secretaryes Office in the fforte such their Claymes or Pretences by y^e^ first or second day of March next, when some Order shall bee taken concerning the same. And whosoever (haveing Notice hereof) shall refuse or neglect soe to doe, shall forfeit their Pretences, & their Lotts bee dis-

posed as the Governor shall see Cause for the Good and Welfare of the Place. Given under my Hand at fforte James in New Yorke this 25th day of Jan.ry in ye 23th yeare of his Mãties Reigne, Annoqꝫ Domini 1671. G. E. 4:97 (NYSL) 1671/2 Jan. 25

[Francis Lovelace.]

No. LXIII.

NEW YORK CITY — THIRD COMPANY OF FOOT ESTABLISHED IN THE MILITIA.

An Ordr for a third Company of ffoot & ye 3 Commission Officrs to be raisd in this City. G. E. 4: 87 (NYSL)

Whereas it is thought requisite, & for ye reputacõn of ye Place, there being a Competent Number of Men capable or bearing Armes to compose a third Company of ffoot, I doe recommend unto you ye Denominacõn of six Persons of ye City, that is to say, two for Captaines, two for Lievtents, & two for Ensignes, & make returnes of their Names unto mee, out of wch Number I shall make choice of one of each to bee Officers, for the which They shall have my Commission & Ordr to take Charge of ye said Company. Given under my Hand at fforte James in New Yorke this 15th day of January 1671. 1671/2 Jan. 15

ffran: Louelace

To ye Mayor & Aldermen of this City.

G. E. 4:105 (NYSL)

An Ordr about raysing a third Company of ffoot in this City.

1671/2 Feb. 26

Whereas It hath been thought requisite, That a New Company of Foot should bee risen within this City & prcincts there being a Competent Number of Men capable of bearing Armes to make up three Companyes, for ye wch I have graunted forth my Commissions; I doe Recommend it to ye Officrs of ye three Companyes that as neare as may bee, They make an Equall Division of the Souldyers in ye Towne into three distinct Parts, both as to quality & Number, the wch being done Lotts may bee drawn, for ye determination to whom each Company shall belong, That is to say, Capt Martin Cregier, or in his Absence his Lievtent shall draw ye first, Capt Johannes Van Brugh ye second, & Capt Isaack Bedloo the third Lott, & ye Officrs according to their Draught are to take Charge of their respective Companyes accordingly.

Given under my Hand at Forte James in New Yorke this 26th day of ffebruary 1671.

[Francis Lovelace.]

To ye Military Officrs of ye City of New Yorke.

G. E. 4:125 (NYSL)

A Warrt to ye 3 Captns of ye Foot Companyes belonging to N: Yorke, to appeare at ye Rendezvous on ye 29th of this instant May. &c:

1672 May 4

You are hereby ordered to give due & timely Warning to ye inferiour Officrs & Souldyrs of ye Companyes under yor Comand, that they bee in a readyness to make their Appearance wth their Armes fixt together wth some fitting proportion of Ammunicon, upon Wednesday ye 29th day of this

instant Month by nine of y^e^ Clock in y^e^ Morning in the broad Place neare y^e^ fforte, from whence you are to march w^th^ yo^r^ respective Companyes to the Rendezvous to bee appointed for y^e^ Militia of this City, there to receive such further Ord^rs^ as shall bee given from mee, or such other superio^r^ Offic^rs^ whom I shall appoint; Hereof you are not to fayle as you will answer y^e^ contrary at yo^r^ Perill. Given: &c: the 4^th^ day of May in y^e^ 24^th^ yeare of this M^ties^ Reigne, Annoq^e^ Dñi 1672. G. E. 4:125 (NYSL) 1672 May 4

[Francis Lovelace.]

To Cap^t^ Martin Creig^r^

The like was directed to Cap^t^ Joñes Vanbrugh.
And a third to M^r^ Isaack Bedloo.

Warrant to Cap^t^ Van Brugh for y^e^ drawing up his Company together at y^e^ Gen^ll^ Rendezvous &c: G. E. 4:138 (NYSL)

You are immediately upon sight hereof to cause yo^r^ whole Company of ffoot to bee drawn together on y^e^ 29^th^ day of May 1672. by 7 of y^e^ Clock in y^e^ Morning at y^e^ Gen^rll^ Rendezvous appointed by mee at y^e^ Winde-Mill Hill without y^e^ City of New Yorke, & there to continue till you receive farther Orders from mee; And hereof you are not to fayle as you will answer y^e^ Contrary at yo^r^ utmost Perrill. Given &c: this 27^th^ of May 1672. 1672 May 27

[Francis Lovelace.]

To Cap^t^ Joñes Van Brugh or
in his absence to his Officer in chiefe.

The like to — Cap^t^ Bedloo & Cap^t^ Creiger.

No. LXIV.

NEW YORK CITY — NEW TROOP OF HORSE RAISED.

G. E. 4: 128 (NYSL)

An Ordr to Mr Steenwijck for raising a Troope of Volunteers upon this Island.

1672 Apr. 24

Whereas I have made Inspection into ye Militia of this City, & findeing it requisite that upon Occasion some Horse should bee in readyness as well as ffoot for ye Safeguard & Defence of ye Place, & also for ye Reputacõn thereof; These are to Authorize you Capt Cornelijs Steenwijck, to take the Subscriptions of all such Persons as shall voluntarily enlyst themselves within this City and Precincts, as also at ye Bowery, New Harlem and ffordham to Compleat a Troope of Volunteers to bee under yor Command, in ye wch you are to have ye Assistance of Capt Dudley Lovelace whom I have thought fitt to nominate to bee yor Lievtenant, & Mr Gabriel Minvielle who is to bee your Cornett. And you are hereby Ordered to putt yorselves in the best Posture you can for ye present to appeare at the Geñrll Trayning of ye Militia in this City on ye 29th day of the Month of May next, for the doeing whereof this shall bee yor Warrant. Given under my Hand & Seale at Forte James in New Yorke this 24th day of Aprill 1672.

[Francis Lovelace.]

To Capt Cornelijs Steenwijck
These.

Another Ordr about ye City Troope. G. E. 4:130 (NYSL)

Whereas I have issued forth my Warrt to Capt Cornelijs Steenwijck to rayse a Troope of Horse within ye Libertyes of this City and Island, the wch can noe way bee compleated without some Dispensacon bee allowed to some of those that are willing & capable amongst ye ffoot-Companyes, under whom all but those exempted by the Law are or ought to bee Enlysted; These are to Certify That Capt Cornelijs Steenwijck and his Officrs have hereby Liberty to Enlyst such and soe many Volunteers out of ye Companyes of ffoot belonging to this Towne as are capable to sett themselves forth wth Horses, ffurniture, & Armes; Provided ye number doth not exceed five or six in each Company which persons soe enlysted by ye Capt of Horse shall bee excused from giveing their farther Attendance on the ffort; ffor the wch this shall bee to them & every of them a Warrant & Discharge. Given under my Hand at Forte James in New Yorke ye 6th day of May 1672. 1672 May 6

[Francis Lovelace.]

[Commissions issued for Troops of Horse.] G. E. 4:138 (NYSL)

May ye 25th 1672

Commissions were granted to Capt Cornelijs Steenwijck, Capt Dudley Lovelace, & Mr Gabriel Minvielle to bee Capt Lievtent, & Cornett of the Troupe of Horse Lysted or to be Lysted wthin this City of New Yorke, Island Manhatans or parts adjacent. curren: secundùm formam istarum Commissionum quæ concessæ fuêrunt Capto Matthiæ Nicolls, Thomæ Willett &c: recordat. in tertio Libro. 1672 May 25

G. E. 4:137 (NYSL)

An Ordr to Capt Steenwijck for ye drawing up his Troop together to Rendezvous upon May 29th

Sr

1672 May 27

You are immediately upon sight hereof to give Notice to all those that belong to yor Troope of Horse that they bee drawn together wth their Armes fixt & sufficient Ammunicon on ye 29th day of this instant Month by 7 of the Clock in ye Morning on ye Hill beyound Mr Beackmans without this City over against ye fferry, & there to continue untill you receive further Ordrs from mee; Hereof you are not to fayle, as you will answer ye Contrary at your utmost Perrill. Given under my Hand at Forte James in New Yorke this 27th day of May 1672.

[Francis Lovelace.]

To Capt Cornelijs Steenwijck.

No. LXV.

FLATLANDS — ESTATE OF BALTHAZAR DE VOSCH.

C. A. 2:427 (NYSL)

A warrant for Balthazer de Vosch to appeare at ye next Genrll Court of Assizes.

1669 Oct. 7

These are in his Mattes name to will & require you Balthazer de Vosch to appeare at this next Genrll Court of Assizes to be held in this Citty beginning on ye first Wednesday in Novembr next then & there to make Answer to ye Compt of Mettie Wessells widdow who hath Entred an Accon of Debt against you Hereof you are not to fayle at your perill Giuen undr my hand & seale at ffort James in New Yorke

this 7th day of October in ye 21th yeare of his Maties raigne Annoq̃ Domini 1669. C. A. 2:427 (NYSL)

[Francis Lovelace.]

To ye Constable of fflattlands als Amesford who is to see this warrant served & make retorne thereof at ye Assizes. 1669 Oct. 7

A Warrant to ye Constable of Flatt bush to lay an Attachemt upon a Certaine Lott of Land there. C. A. 2:545 (NYSL)

These are in his Maties name to require you to lay an Attachemt upon a Certaine Lott of Land at Midwout als Flatt bush now in ye Tenure or Occupation of Jan Roeloffsen & belonging to Balthazer de Vosch who stands indebted in a certaine Sume of money for goods receiued of Mr Isaack Bedlow of this Citty merchant, And that you make Retorne of ye service of this warrant to ye next Court of Sessions to be held at Gravesend, Hereof you are not to fayle Given undr my hand at Fort James in New Yorke this 7th day of June 1670 1670 June 7

[Francis Lovelace.]

To ye Constable of Midwout als Flatt bush.

An Ordr for ye Deliuery of ye House & Brewhowse late in ye possession of Balthazer de Vosch unto ffather Kaes. C. A. 2:591 (NYSL)

Whereas It hath beene reprsented unto me that before ye departure of Bathazer [*sic*] de Vosch from his habitation & this Countrey he made seuerall bargaines & Sales of Lands 1670 Sept. 30

C. A. 2:591 (NYSL)

& houses, amongst y^e^ w^ch^ there are Three or four that depend y^e^ one on y^e^ oth^r^, & all Center in his Exchange of her house Lott of ground & Brewhouse at Amesford w^th^ one named father Kaes als Cornelissen of Midout for a Bowery or Lott of ground he hath there, y^e^ w^ch^ Exchange is to be made & performed on y^e^ first day of Octob^r^ next, These are to ord^r^ & appoint yo^u^ y^e^ present Constable & Overseers of Amesford to deliuer possession of y^e^ house Lott of Ground and Brewhouse late in y^e^ possession of y^e^ said Balthazer de Vosch; so agreed to be exchanged as aforesaid, unto y^e^ said father Kaes als Cornelissen or his Assignes, The w^ch^ bargaine sale & Exchange as well as all oth^rs^ made by him, before he deserted his habitation are to stand firme & good unlesse other reasons can be showne to y^e^ Contrarye at y^e^ next Gen^rll^ Court of Assizes. Given und^r^ my hand at ffort James in New Yorke this 30^th^ Day of Septemb^r^ 1670.

1670 Sept. 30

To y^e^ Constables & Overseers of Amesford als Flattbush.

[Francis Lovelace.]

C. A. 2:593 (NYSL)

An ord^r^ for y^e^ Constable and Overseers of Flatt lands to take a view of y^e^ house in dispute betweene ffath^r^ Kaes & Balthazer de Vosch.

1670 Oct. 3

Whereas yo^u^ haue made Report to me that Cornelijs Jans als father Kees doth refuse to take possession of y^e^ house & Land of Balthazer de Vosch, according to his Agreement & my Ord^r^ for reasons w^ch^ he p^r^tends to bringe in at y^e^ Court of Assizes, y^e^ w^ch^ as I am informed hath relation to some want of repaire of y^e^ house or some damage casually received since y^e^ bargaine, You are hereby ordered to take a view of y^e^ said house, & to giue an Account to me at

this next Court of Assizes,[1] what y^e^ Charge of making y^e^ Reperation will be, That some Course may be taken to make it good, & an issue put to y^e^ oth^r^ bargains & sales depending thereupon, Given und^r^ my hand at ffort James in New Yorke this 3^d^ day of Octob^r^ 1670. C. A. 2:593 (NYSL) 1670 Oct. 3

[Francis Lovelace.]

To y^e^ Constable & Overseers
of Amesford als Flatt lands.

A warrant for y^e^ 4 ꝑsons following to view y^e^ house of Balthazer de Vosch. C. A. 2:599 (NYSL)

Whereas yo^u^ are by an Ord^r^ of y^e^ late Gen^rll^ Court of Assizes nominated and appointed to view & adjudge what y^e^ Charge will amount to of Reperation of y^e^ Lott & Brewhouse at fflatt lands late belonging to Balthazer de Vosch who exchanged y^e^ Same w^th^ Cornelijs Jansen Boegart als fath^r^ Kaes for his Lott at fflat bush as also of what else shall be found wanting to make good y^e^ Conditions made betweene them upon y^e^ said Exchange, These are to require yo^u^ that yo^u^ forthw^th^ & w^th^out furth^r^ Delaye proceed to doe y^e^ Same according to y^e^ said Ord^r^, It being a matt^r^ w^ch^ as I am Informed may be effected in a few houres, & y^e^ Delay thereof may prove very p^r^judiciall & for so doeing this shall be yo^r^ warrant Given unde^r^ my hand at ffort James in New Yorke this 13^th^ of October 1670. 1670 Oct. 13

[Francis Lovelace.]

To Capt^n^ Elbert Elbertsē
M^r^ Jacob Kipp
Coert Stevens &
Huybert M^r^ Oloffe Stevens man.

[1] The case of Cornelis Jansen Boegart, *alias* Father Kaes, against Balthazar de Vosch, figured at the court of assizes, in October, 1670.— *Court of Assizes*, vol. 2, pp. 253–255.

C. A. 2: 597 (NYSL)

The Governo[rs] approbation of y[e] Report of y[e] ꝑsons appointed to view y[e] house of Balthazer de Vosch

1670 Oct. 17

Whereas 4 ꝑsons were appointed by y[e] late Gen[rll] Court of Assizes to view & adjudge what y[e] charge would amount unto of Repation of y[e] Dwelling house & Brew house at Amesford late belonging to Balthazer de Vosch who Exchanged y[e] Same w[th] Cornelijs Jansen Boegart for his Lott at Midwout, as also of what else should be found wanting to make good y[e] Conditions made betweene them upon y[e] said Exchange, And y[e] said ꝑsons having given in their Report conformable to what was heretofore done by y[e] Constable & Overseers of y[e] said place, That is to say for fower hundred Guild[rs] Seawant for y[e] Reperation of y[e] house & Brewhouse, & also for one hundred Guild[rs] Seawant more for y[e] Damage y[e] ffatts haue Susteyned, Upon due Consideration had hereupon, I haue thought fitt to approue & do allowe of what is adjudged by y[e] said persons & doe ord[r] that no furth[r] Exceptions be admitted against it, And y[e] persons appointed in trust to Administ[r] upon & look aft[r] y[e] Estate of y[e] said Balthazer de Vosch are forthw[th] to take Care That y[e] said Sum̃e of fiue hundred Guild[rs] be allowed to y[e] said Cornelijs Jansen to y[e] end & purpose aforementioned. Given und[r] my hand at ffort James in New Yorke this 17[th] Day of Octob[r] 1670.

[Francis Lovelace.]

C. A. 2: 596 (NYSL)

An Ord[r] Excusing M[r] Jacob Kipp's attendance in y[e] businesse betweene Cornelijs Jansen & Youncker Vosch.

1670 Oct. 18

In Regard M[r] Jacob Kipps other occasions hind[r] him from attendance on y[e] businesse betweene Cornelijs Jansen

& Youncker Vosch whereunto he was ordered at y^e^ last Court of Assizes, I haue thought fitt to referre the nomination of a fourth person in his stead to y^e^ oth^r^ three appointed by y^e^ Ord^r^ aforesaid. Given und^r^ my hand at ffort James in New Yorke this 18^th^ of October 1670. C. A. 2: 596 (NYSL) 1670 Oct. 18

[Francis Lovelace.]

No. LXVI.

BOND OF THOMAS WALKER, COMMANDER OF THE SHIP "BATCHELOURS DELIGHT."

Another Certificate about M^r^ Walker from the Custome-Master.[1] G. E. 4: 90 (NYSL)

These are to Certify all whom it may concerne, That Thomas Walker of the City of London Merchant hath taken his Oath & Given Security by Bond of One thousand pound Sterling Money of England to Coll. ffrancis Louelace Governo^r^ of New Yorke, & all his Royall Highness Territoryes in America for the use of our Soveraigne Lord the King, That y^e^ Vessell or Pinck called y^e^ Batchelo^rs^ Delighte now rideing at Anchor in this Harbour of New Yorke is a ffree Ship, y^e^ which hee is to make appeare before y^e^ Expiration of one yeare and six Weeks as in the Bond is menc̄oned. Given under my Hand this 22^th^ day of Decemb^r^ 1671. 1671 Dec. 22 Attested 1671/2 Jan. 17

C: Van Ruijven Coll^r^

[1] This is in reality the earlier certificate, as the other one is that of January 17, 1671/2, printed on p. 645 in its chronological sequence. In the engrossed manuscript the earlier certificate is entered last, which accounts for the ambiguous heading.

G. E. 4:90 (NYSL)

1671 Dec. 22

Attested 1671/2 Jan. 17

To y^e^ Truth of y^e^ Contents of what is above-written, I doe attest. Given under my Hand and Seale at fforte James in New Yorke on y^e^ Island Manhatans in America the 17^th^ day of January in the 23^th^ yeare of his Mã^ties^ Reigne, Annoqꝭ Domini 1671.

[Francis Lovelace.]

G. E. 4:87 (NYSL)

[Walker's Bond for the Ship "Batchelours Delight."]

Jan^ry^ 13^th^ 1671.

1671/2 Jan. 13

M^r^ Thomas Walker part Own^r^ of y^e^ Pinck Batchelours Delighte, Enterd into an Obligacõn of 1000^li^ Sterling, to M^r^ Richard Ripley (late Mast^r^ of y^e^ said Pinck) wherein hee bound both himselfe, heyres, Executo^rs^, Administrato^rs^, & his Vessell That after hee had made his Voyage hence to Virginia with the said Ship, hee would then sayle directly (Winde & Weather permitting) to y^e^ Island of Jamaica, without makeing any other Voyage before hee hath acomplisht y^e^ same, & that there hee would save y^e^ said W^m^ Rich^d^ Ripley harmless, as touching y^e^ Obligacõn wherein hee became bound at Jamaica for y^e^ returne of y^e^ Ship. &c:

G. E. 4:87 (NYSL)

[Bond for the Ship "Loyall Dorothy."]

Jan^ry^ 15^th^ 1671

1671/2 Jan. 15

Capt. Josyas Teate, & M^r^ Thomas Walker Merch^t^ enterd into a Bond of 1000^li^ to ffrancis Louelace Esq^r^ &c: the Condicõn whereof was, that Cap^t^ Teate should sayle back y^e^ Ship Loyall Dorothy to Nevis in y^e^ roome of Cap^t^ Julius

deceased, & there deliver her up w^th^ her Cargoe to S^r^ Charles Wheeler, according to y^e^ Teno^r^ of his Commission, the which if hee did, then the Bond should be void.

G. E. 4:87 (NYSL)

1671/2 Jan. 15

M^r^ Thomas Walker's Certificate.

G. E. 4:90 (NYSL)

1671/2 Jan. 17

Whereas M^r^ Thomas Walker halfe Own^r^ of the Pincke the Batchelours Delighte came upon y^e^ 6^th^ day of October last with the said Vessell into this Harbour from Jamaica and y^e^ Bay of Campechio loaden w^th^ Loggwood, & before her departure from out of Jamaica, haveing given Bond with another, & y^e^ Master M^r^ Richard Ripley that the said Pincke should returne back to Jamaica by y^e^ first Convenience, or in twelve Months after y^e^ Date of the said Bond, That is to say, by y^e^ 18^th^ day of ffebruary next, y^e^ danger of the Seas & Death excepted; These are to Certify all whom it may Concerne, that since y^e^ Arrivall of the said M^r^ Walker into this Porte w^th^ his Pincke as aforesaid, hee hath been detayned here contrary to his Expectation by his Ships being questioned to bee an unfree Ship, as also by severall Differences and Debates at Law between him & his Master, and likewise between others and him, soe that by the meanes aforesaid hee cannot in probability comply w^th^ his time of returning to Jamaica, but hath given Bond for the performance of his Engagem^t^ with his first Convenience. Given under my Hand and Seale at fforte James in New Yorke on y^e^ Island Manhatans this 17^th^ day of January in y^e^ 23^th^ yeare of his M̃a^tie^s Reigne, Annoq̃ Dñi. 1671.

[Francis Lovelace.]

G. E. 4:94 (NYSL)

A Pass-porte for Mr Tho: Walker to depart hence with his Shipp &c:

1671/2 Jan. 19

Permitt & suffer ye Pincke Batchelors Delighte now rideing at Anchor in this Harbor, Thomas Walker halfe Owner & Commandr bound for Jamaica to Passe out of this Porte wth her Ships Company, Goods, Merchandize, & Necessaryes without any manner of Lett, hindrance, or Molestacõn whatsoever. Given under my Hand & Seale at fforte James in New Yorke this 19th day of January in the 23th yeare of his Mãties Reigne, Annoqꝫ Domini 1671.

[Francis Lovelace.]

To all Officrs & others whom this may Concerne.

G. E. 4:94 (NYSL)

A Warrant for ye seizing upon Mr Walker & bringing him back to this City.

1671/2 Jan. 21

These are in his Mãties Name to require you to Attach ye Body of Mr Thomas Walker one of the Owners & Cõmander of the Pincke Batchelours Delighte, and that you bring him back to this City to make Answer to the Suites of Doctor Henry Taylor Dirck Van Cliffe, William Merritt, & Diverse other Creditors As also for his Contempt in goeing away with his Ship without Clearing at the Custome House. And for soe doeing This shall bee your Warrant. Given under my Hand at fforte James in New Yorke this 21th day of January. 1671.

Fran: Louelace

To Philip Johns Haven-Master.

Some Persons are to bee left on board to secure ye Ship, that shee depart not till further Order.

No. LXVII.

WESTCHESTER — JOHN PELL *vs* JOHN RICHBELL ABOUT BOUNDARY AND TRESPASS.

Recorded for Mr John Richbell, the 6th day of June 1666, this Indyan Deed. **Deeds 2:128 (Sec. State)**

[n. d.]

Recorded 1666 June 6

I Wompoqueum, together with my Brother Mahatahan, being the right owners of three Necks of Land, lying and being Bounded on ye East side with Mamaranock River, and on ye west side, with the Stony River, which parts the said Land, and Mr Pells Purchase; Now These are to Certify, to all and every one whom it may concerne, That I wompoqueum, did for my selfe, and in the behalfe of my above said Brother, Mahatahan, firmly Bargaine & Sell to Mr John Richbell of Oyster Bay,[1] to him and his Heires forever, the above mentioned three Necks of Land, together with all other Priviledges there unto belonging, Six weekes before I sold it to Mr Tho: Revell, And did marke out the Bounds, and gave Mr Richbell possession of the said Land, and did receive part of my pay then in hand, as Wittnesse my hand

The Marke X of Wompoqueum.

Wittnesse
Jacob Yongh
Catharin Yongh.

[1] Richbell was a merchant at Charlestown, Mass., before he came to Oyster Bay, and Revell came from the Barbados. Richbell bought Horse Neck, on September 5, 1660, and conveyed it to Nathaniel Silvester, of Shelter Island, and others, on October 18, 1666. He and his wife, Ann, also conveyed to Silvester, and others, their dwelling house, gardens and other lands (altogether twenty acres) at Cove Neck, in Oyster Bay, on November 17, 1666. For documents on his relations with Oyster Bay, see *Deeds*, vol. 2, pp. 11, 12, 15, 102–112, 224–232; *ibid*, vol. 3, pp. 93–99, 119–126, 148; *Court of Assizes*, vol. 2, pp. 7–14. On his controversy with Revell, see also *Orders, Warrants, Letters*, vol. 2, pp. 48, 66.

Deeds 2: 192 (Sec. State) Mar: 13th 1666

[Indian Deed to John Richbell.]

Recorded for Mr Richbell.

Mammaranock, ye 23d Septr 1661.

1661 Sept. 23 — Recorded 1666/7 Mar. 13

1.[1] Know all Men by these prests That I Wappaquewam Right Owner & Proprietor of part of this Land, doe by Order of my brother who is another Proprietor, & by consent of the other Indyans doe this day, sell, lett & make over from mee my heyres & assignes for euer, unto John Richbell of Oyster bay his heyres & assignes for euer three Necks of Land, The Eastermost is called Mammaranock Neck, & the westermost is bounded with Mr Pells purchase: Therefore know all Men whom these presents concerne that I Wappaquewam, doe this day alienate & estrange from mee, my heires & assignes for euer unto John Richbell his heyres & assignes for euer, these three necks of Land with all the Meadowes Riuers & Islands thereunto belonging, Also the sd Richbell or his Assignes may freely feed Cattle or cutt Timber twenty miles Northward from the marked Trees of the Necks; ffor & in consideracõn the sd Richbell is to giue or deliuer unto the aforenamed Wappaquewam the Goods here under mentioned, the one halfe about a moneth after the date hereof, & the other halfe the next Spring following, As the Interpreters can testify; & for the true performance hereof, I wappaquewam doe acknowledge to haue recd two shirts & ten shillings in wampom, the day & date aboue-written.

Twenty two Coates.
one hundred fathom of Wampom.

[1] The six numbers attached to documents in this group simply show sequence in the manuscript volume. They are printed here in chronological order.

Twelue shirts.
Ten paire of Stockings.
Twenty hands of Powder.
Twelue barrs of Lead.
Two firelockes.
ffifteene Hoes.
ffifteene Hatchets.
Three Kettles.

Deeds 2:192 (Sec. State)
1661 Sept. 23
Recorded 1666/7 Mar. 13

The Deposition of John Finch & Edward Griffen both of Oyster bay.

Deeds 2:193 (Sec. State)

2. These Deponents testify & affirme, That they being at Peter Disbroes Island (being to the westward of Greene-wich) the 23d day of September last past, & being there employed by mr John Richbell for to Interpret betwixt the said mr Richbell & the Indyans (mentioned in this writing annex't) about the purchase of three Necks of Land, The said Deponents doe both of them affirme, that this herein written was a true and reall bargaine, made the day abouesd betwixt the said Mr John Richbell & the said Indyans, & the Condic̃ions thereof.

1661 Dec. 20
Recorded 1666/7 Mar. 13

Taken before mee
John Hickes.

Hempsteed this 20th of
December. 1661.

The deposition of John ffinch of Oyster bay & also of Edward Griffin.

Deeds 2:196 (Sec. State)

5. The sd Deponents vpon Oath testifye, mr John Richbell Merchant of Oyster bay, did buy of Wappaquewam a certaine Tract of land lyeing westward of the River called Mammaranock Riuer & bounded by Land purchased by mr

1661/2 Mar. 11
Recorded 1666/7 Mar. 13

Deeds 2:196 (Sec. State)

1661/2 Mar. 11

Recorded 1666/7 Mar. 13

Thomas Pell of the Indyans, The said Wappaquewam being entrusted by his brother Mathetuson formerly called Mohey (as the said Wappaquewam & Mathetuson did enforme) to sell all his propriety in the s^d^ Land, & himselfe with Edw^a^ Griffin accompanied the said John Richbell, unto y^e^ s^d^ Indian Wappaquewam to buy the s^d^ Lands, which accordingly hee did, & payd unto the s^d^ Wappaquewam in part of payment for the purchase of the said Lands, Two shirts & ten shillings in wampom, and agreed upon Time for the payment of the residue according to a writing made at Momoronock River, bearing date 23^d^ of Sept^r^. 1661. & on that day the said Richbell tooke possession of the s^d^ Lands.

In & upon the 7^th^ day of March 1661. The s^d^ John Richbell employed them the s^d^ Deponents & one Jacob Young a Sweed (which are Indian Interpret^rs^) to goe with him to the Indyans to talke w^th^ them, Hee the s^d^ Richbell hearing a Report that y^e^ s^d^ Indian Wampaquewam had afterwards sold the s^d^ lands to m^r^ Revell, & in our voyage to speake w^th^ Wappaquewam wee met with his brother Mathetuson alias Mohey afores^d^, who did fully maifest unto us that hee (according to his brothers Informac̃on) did employ & giue power to his brother Wappaquewam to sell his propriety of Land to m^r^ Richbell, whom Wappaquewam enformed him would buy it of him, & withall did relate to vs severall of the particulars that the said John Richbell by agreement was to pay for the s^d^ Lands: Moreouer the s^d^ Mathetuson seemed to bee much disturbed in his Mind, That any Contract was made with any other for y^e^ said lands, hee affirming that hee knew not that any other then John Richbell had made any contract about it, untill hee came downe to the Sea Coast, wherefore m^r^ John Richbell did tell the s^d^ Mathetuson that hee was now come to settle & plant the same, And the said Mathetuson did giue him free

liberty to the same, onely desiring Mr Richbell that hee might bee payd for it, & not to loose his pay for a Neck & halfe of Land, which hee was yet unpaid for: Deeds 2:196 (Sec. State)

To the former part were deposed John ffinch & Edward Griffin the 11th of ye 1st Moneth $\frac{61}{62}$ 1661/2 Mar. 11 — Recorded 1666/7 Mar. 13

Before mee
Rich: Lawes.

To the latter part the sd John ffinch & Edwa Griffin & also Jacob Young haue deposed this 11th 1M $\frac{61}{62}$

Before mee
Richard Lawes.

The Deposicon of Peter Disbroe of Monussing Island ætatis suæ 30th Deeds 2:194 (Sec. State)

3. The sd deponent upon Oath Testifieth, that Mr Richbell &c, went to Mr Reuell (then on the Island afores^{d}) & warned Mr Revell not to buy the Land beyond Mammaranock Riuer of the Indyans, for that (hee said) hee had bought it already: At that time Wappaquewam came to my house Mr Richbell and John ffinch being there also, the said Wappaquewam said hee was the Owner of the Land, & did in my hearing owne that hee had sold the land to mr Richbell, but the other Indyans ouer persuaded him to sell it to Mr Reuell, because hee would give a great deale more; The said Wappaquewam did also owne that hee had recd part of pay for the Land, of mr Richbell & John ffinch: This to my best understanding was ye Indyans speech unto them; Also at the same time the said Indyan Wampaquewam did verbally offer unto Mr Richbell the pay that hee had recd 1661/2 Mar. 12 — Recorded 1666/7 Mar. 13

Deeds 2:194 (Sec. State)
1661/2 Mar. 12
Recorded 1666/7 Mar. 13

in part for the s[d] Land, But m[r] Richbell refused saying hee would not receiue it, but according to bargaine hee would haue the land & pay him (the s[d] Indyan) his pay: Moreover the said deponent saith that M[r] Revell being at his house (before the former discourse) that hee the said deponent did tell M[r] Reuell that the Land was agreed for by John Finch, & some part of the pay paid. This deposed unto the 12[th] of 1[M] $\frac{61}{62}$:

Before vs
Richard Laws
Francis Bell.

Deeds 2:195 (Sec. State)

The deposic̃on of William Joanes of Monussing Island about 22 yeares of age.

1662 Apr. 5
Recorded 1666/7 Mar. 13

4. The s[d] Deponent upon Oath testifieth, That Thomas Close & himselfe being mates, the said Close having beene at Oyster bay, upon his returne to Monussinge afores[d] did tell him that when hee was at Oyster bay, That John ffinch & Henry Disbroe of Oyster bay did tell him, that John ffinch & m[r] Richbell had agreed to purchase the land at Mammaranock Riuer, & desired him not to discouer what hee had told them, for that hee had promised them to keepe silence, & if it should bee knowne that he had told him (the said Joanes) hee should then bee counted a Trayto[r], this was about September 1661: Severall moneths after m[r] Richbell & John ffinch & Edward Griffin being at Mammaranocke Riuer, & they waiting for the Indyans com̃ing to them to receive that part of the pay for the land as was agreed then to bee paid, & m[r] Richbell had then by him; They wanting bread sent for some to the Island Monussing, wherefore the s[d] Deponent

went & carryed them some: When to the land hee came, m^r^ Richbell had there sett up a Shedd to shelter from the weather, & tooke possession there, staying for y^e^ Indians to receiue the pay as was promised, M^r^ Revell being then at Monussing, & hearing that M^r^ Reuell came to buy the land, did tell m^r^ Richbell what hee had heard: Wherefore m^r^ Richbell & John ffinch & my selfe came to Monussing, m^r^ Richbell saying that hee would purposely goe to forewarne M^r^ Reuell not to buy the land, being hee had already agreed for the same: When to Monussing they came, there was some of the Indyans that had sold y^e^ land viz^t^ Cakoe & wappaquewam, who would haue secretly gone away (as they judged) but that John ffinch spyeing of them, called then againe, saying to them, are you ashamed of what you are doeing; Then at peter Disbroes house the said Cakoe & Wappaquewam did tender to m^r^ Richbell & John ffinch the pay againe which they had rec^d^ in part of payment for the Land, but they refused, John ffinch & m^r^ Richbell saying to them that they would stand to y^e^ bargain that they had made: The said Wappaquewam did there fully owne that hee had sold the Land to m^r^ Richbell & John Finch: Stamford Ap^r^ 5^th^ 1662. given before mee

Deeds 2: 195 (Sec. State)
1662 Apr. 5
Recorded 1666/7 Mar. 13

Rich: Lawes.

The originall was Interlin'd
before deposed (unto) in the
28^th^ line, (And M^r^ Richbell)
In the 13^th^ line (Monussing).

The Testimony of Jonathan Lockwood being aged 30. yeares or thereabout.

Deeds 2: 198 (Sec. State)
1665 Apr. 4
Recorded 1666/7 Mar. 13

6. Saith, I being at peter Disbroes, & m^r^ Thomas Reuell being there present, I heard m^r^ Revell say hee was buying

Deeds 2: 198 (Sec. State)
1665 Apr. 4
Recorded 1666/7 Mar. 13

a parcell of Land of the Indyans of the West side of Mamaranock River to mr Pells land & I wish't him not to medle with it, for it was already bought by mr Richbell, & I was a wittnesse to it, I see a part of the moneys payd for it by mr Richbell, Mr Revell made this answer to mee, that howsoever hee would buy it, & Mr Ritchbell & hee would try for it afterwards: ffarther this Deponent saith not.

Given in upon Oath before mee, Stamford Apr̃. 4th 1665

Rich: Lawes.

Taken out of the Records & compared there with this 23d of August 1665

℔ me John Allyn Recorder.

Land Papers 1: 33 (Sec. State)
1668 Oct. 16

[John Richbell's Patent at Mamaroneck.][1]

Francis Lovelace Esqr Whereas there is a Certain parcell or tract of Land within this Gover[n]ment upon the Main Contained in three Necks of which the Eastermost is bounded with a Small river commonly Called Mamaroneck river being also the East bounds or limits of this Gover[n]ment upon the Maine & the westermost with the Gravelly or Stony brook or river which makes the East Limitts of the Land Known by the Name of Mr Pells purchase haveing to the South the Sound and running northward from the Marked trees upon the Said Necks twenty Miles into the woods which Said parcell or Tract of Land hath been heretofore Lawfully purchased of the Indian proprietors by John Richbell of Mamaroneck Gent̃ in whose possession Now it is and his title thereto Sufficiently proved both at Several Courts of Sessions as also at the General Court of assizes Now for a Confirmation unto him the said John Richbell in

[1] On the confirmation see also *Deeds*, vol. 4, p. 27.

his possession & Injoyment of the premisses Know ye that by vertue of the Commission and Authority unto me Given by his royal Highness I have Given Ratified & Confirmed & Granted and by these presents do give ratifie Confirm and Grant unto the Said John Richbell his heirs and assigns all the aforementioned parcell or tract of land as aforesaid Together with all woods beaches Marshes pastures Creeks Waters lakes fishing Hawking hunting and fowling and all other profits Commodities and Emoluments to the Land parcell or Tract of Land belonging Annexed & appertaining with their & Every of their appurtenances and of Every part & parceell thereof and in regard of the distance of the plantations already Settled or to be Settled upon the said necks of land from any Town the persons inhabiting or that Shall Inhabit thereupon Shall have a petty Constable Chosen amongst themselves yearly for the preservation of the peace & Dicision of Small differences under the value of fourty Shillings and they Shall be Excused from all Common attendance at Trainings or other ordinary duties at Westchester But in Matters of assessment & Publick rates they are to be Taxed by the officers of that Town to the which they properly belong being the nearest unto them To have and to hold the Said parcell and tract of Land in the Said three Neecks Contained and premisses with all and Singular the priveledges & appurtenances to the Said John Richbell his heirs and assigns to the proper use and behoof of the Said John Richbell his heirs & assigns forever as free land of Inheritance rendring and paying as a quit rent yearly and Every year the value of Eight bushels of Winter Wheat upon the five and twentieth day of March if demanded unto his royal highness and his heirs or to Such Governour or Governours as Shall from time to time be appointed & Sett over them Given Under My hand & Seal

Land Papers 1:33 (Sec. State)

1668 Oct. 16

Land Papers 1:33 (Sec. State)

1668 Oct. 16

at ffort James in Newyork on Manathans Island the Sixteenth day of October in the twentieth Year of the Reign of our Soveraign Lord Charles the Second by the Grace of God of England Scotland ffrance & Ireland King Defender of the faith &c Annoqꝫ Domin[i] 1668

Francis Lovelace

Recorded by order of the Governour the Day and year above written

Endorsed: Copy of John Richbells
Patent from
Governour Lovelace
17 [*sic*] Oct[r] 1668

C. A. 2:204 (NYSL)

A speciall warr[t] for hearing at y[e] Assizes [1]

1669 Sept. 13

Whereas John Richbell of Momoronock hath made Complaint unto me That you Thomas Pell of Anne Hooks neck Doe unjustly detaine & keep from him a certaine parcell of meadowe Ground lyeing & being neare unto or upon one of y[e] three necks of Land at Momoronock, And he y[e] said John Richbell hauing Peticoned me That the Title & clayme on each parte may be heard & determyned at y[e] Assizes, These are in his Ma[ties] name to require you to appeare at this next Gen[rll] Court of Assizes to be held in this Citty beginning on y[e] first wednesday in y[e] month of October next, Then & there to make Answer to y[e] Complaint of y[e] said John Richbell, upon y[e] Tryall of your Title to y[e] said meadowe Hereof you are not to fayle at your perill, Given und[r] my hand & seale at ffort James in Newe Yorke this 13[th] day

[1] For an order of same date, see *Orders, Warrants, Letters*, vol. 2, p. 534; also an earlier reference to the dispute in *ibid*, p. 334 (February 17, 1668/9).

of September in y^e 21^th yeare of his Ma^ties Raigne Annoq̃ Domini 1669. C. A. 2:204 (NYSL)

[Francis Lovelace.]

To M^r Thomas Pell at
Anne Hooks neck or elsewhere. 1669 Sept. 13

A Speciall Warr^t for Jeremy Cannon, aĺs Dorman, James Mott, Roger Pedley to appeare at y^e Assizes to answer M^r Pell in a Case of Trespas. G. E. 4:39 (NYSL)

Whereas M^r John Pell of y^e Manno^r of Anne-Hooks Neck hath made Complaint unto mee that Jeremy Cannons aĺs Dorman, James Mott, Roger Pedley, & James [*blank*] a Serv^t belonging to M^r John Richbell of Momoronock, have togeth̃er or apart at severall times com̃itted a Great Trespass, in carrying away severall parcells of Hay made up in Stack upon his Land, & there being one Stack of Hay lately burnt upon y^e said Land, of w^ch there is great suspition one or more of the persons aforemen̄coned are guilty; These are in his Mã^ties Name to require y^e said Jeremy Cannon aĺs Dorman, James Mott, Roger Pedley and James [*blank*] M^r Richbells Servant as aforesaid, That they make their Appearance at y^e next Geñ^ll Court of Assizes to be held in this City beginning on y^e first Wednesday in October next, w^ch will be on y^e fourth day of y^e said Month, then and there to make Answer to y^e Complaint of M^r John Pell in y^e Matters aforesaid, & that they forbeare y^e giveing y^e said M^r Pell any Molestac̄on by carrying away any more Hay from y^e said Land untill y^e difference between him & M^r Richbell about their Title be decided. Hereof They nor any of them are not to faile as they will Answer the Contrary at their Perills. Given under my Hand & Seale at Forte James in New Yorke 1671 Sept. 22

G. E. 4:39 (NYSL) this 22th day of September in ye 23d yeare of his Mãties Reigne, Annoqꝫ Dñi 1671.

Fran: Lovelace

1671 Sept. 22 To Jacob Young of Ann-Hooks Neck, or any other person whom Mr Pell shall Employ upon this Occasion to see this Speciall Warrant served, & returne made thereof at ye Assizes.

G. E. 4:59 (NYSL) Commissionrs appointed to View ye Bounds in difference between Mr Pell, & Mr Richbell

1671 Oct. 21 Whereas It was ordered at ye late Genrll Court of Assizes, That some persons of good Judgmt should bee appointed to view ye Bounds in difference between Mr John Pell, & Mr John Richbell, wch divide Anne-Hooks Neck and Momoronock, of ye wch They are to make Reporte unto mee, To ye end a Conclusion or Composure may be made about that Matter, These are to desire and Authorize you Capt Dudley Lovelace, Capt Jaques Cortelijau, Mr Elyas Doughty, Capt Richard Ponton, & Mr John Quinby who are ye Persons that then were appointed by ye Court, that you some time this prsent week, at a prfixt day to be agreed upon amongst yorselves, repaire upon ye place, & there by yor view & Enquiry of persons acquainted with those Bounds, receive ye best Informacõn you can, & make Reporte thereof, with your Judgmt thereupon unto mee; ffor ye doeing of wch This shall be your Warrant. Given under my Hand at fforte James in New Yorke this 21th day of October. 1671.

ffra: Lovelace

To ye Comnrs appointed by ye Court of Assizes.

An Ordr about Mr Pell & Mr Richbell. G. E. 4:88 (NYSL)

1671/2 Jan. 16

Whereas an Ordr issued forth at ye Last Genrll Court of Assizes, concerning a Mattr in difference between Mr John Pell, & Mr John Richbell on behalfe of some others who were Sued as Trespassers, whose Cause Mr Richbell undertooke to Defend, They being employed by him, And according to ye said Ordr Commissionrs haveing mett, & been upon the place, & made Reporte of yer Judgmts, but noe Conclusion or Agreemt of ye Difference hath yet been attained unto, Soe that Suite is made to have a Tryall of their Title at a Speciall Court of Assizes, as was Ordered at ye Court aforemencõned. In Prosecucõn of ye said Ordr of Assizes, since all wayes of an amicable Composure have proved fruitless, I have thought fitt to Ordr & Appoint That Tuesday ye 6th day of ffebruary next shall bee the Day of Meeting of ye said Cort to heare & Determine ye Matter in Difference between ye said Persons at the State-House in this City. In ye meane time they may on both sides prepare themselves for a Tryall. Given under my Hand at fforte James &c: this 16th day of Janry. 1671.

[Francis Lovelace.]

An Ordr about Mr Pell, & Mr Richbell. G. E. 4:91 (NYSL)

1671/2 Jan. 18

Whereas an Ordr issued forth at ye Last Genrll Court of Assizes concerning a Matter in difference between Mr John Pell, & Mr John Richbell on behalfe of some others who was sued as Trespassers, whose Cause Mr Richbell undertooke to Defend, both of them laying Clayme to ye same piece of Land, whereupon Complaint was made that Trespasse had been committed, And according to ye said Order Cõmissionrs haveing mett, & been upon ye Place, but noe

G. E. 4:91 (NYSL)

1671/2 Jan. 18

Conclusion or Agreem^t was made by them, nor amongst themselves, soe that they sue to have a Tryall at a Speciall Court of Assize as was ordered at the Court aforemen̄coned; In prosecution of y^e said Order of Assizes, and at y^e Request of the Partyes, I have thought fitt by Consent to Order and appoint That Thursday the first day of ffebruary next shall bee the Day of Meeting of y^e said Court to heare and determine the Matter in difference between y^e said Persons at y^e State-house in this City; In y^e meane time They may on both sides prepare themselves for a Tryall by a Jury or the Bench. Given under my Hand at fforte James in New Yorke this 18^th day of January. 1671.

[Francis Lovelace.]

A Sub-pœnâ was then sent forth to Summon M^r Robert Pennoyer of Momoronock, & M^r John Archer of ffordham to give in their Evidence at y^e said Court, concerning the difference between M^r Pell, & M^r Richbell. &c.

G. E. 4:92 (NYSL)

Another Ord^r about y^e difference betwixt M^r Pell & M^r Richbell.

1671/2 Jan. 18

The Reporte of y^e Commission^rs appointed by y^e Co^rt of Assizes to View the Bounds in difference between M^r John Richbell & M^r John Pells Land haveing been delivered unto mee Sealed up, & now opened and read before mee & my Councell, Vpon perusall & Considera c̄on had hereupon, I finde that two of the Commission^rs have made Reporte, That between y^e two Brooks in Dispute called Stoney & Gravelly Brooks there is a Tree markt on y^e East side with J. R. & on the West with T. P. from the which if there were a Line runn directly downe to the Sound, it would divide y^e Meadow in difference in the middle, & putt an End to y^e Matter in question, but neither of the other three Com-

missionrs agree amongst themselves as to their Opinions of the Bounds. Wherfore in regard that I am very desireous an amicable Composure of this Difference may bee made between both partyes, I doe recommend the Reporte of the two Commissionrs to bee Observed as a Medium to end all Differences. However if either Party shall not seem satisfyed therewith, They have still Liberty to proceed to a Tryall before a Speciall Court according to ye Order of ye Last Geñrll Court of Assizes. Of their Resolucons hereupon a speedy Answer is expected, That Order may bee taken accordingly. Given under my Hand at Forte James in New Yorke this 18th day of January. 1671.

[Francis Lovelace.]

G. E. 4:92 (NYSL)

1671/2 Jan. 18

Another Ordr about Mr Pell & Mr Richbell made after their Agreemt or Composure.

G. E. 4:95 (NYSL)

Whereas there is an Amicable Composure made of ye difference between Mr John Richbell & Mr John Pell concerning the Neck of Land lyeing between Stoney & Gravelly Brooke to the Eastward of Anne-Hooks Necks, ye wch is agreed upon to bee divided equally between them, both Meadow & Vpland, quantity & quality alike, wch Agreemt I very well approve of; These are to require you that some time the next week or wth your first Convenience you repaire hither, where you shall receive farther Directions concerning the laying out the said Neck of Land, soe to putt a finall End & Determinacon to that Dispute, of wch at yor Returne you are to render mee an Accot & for soe doeing this shall bee yor Warrant. Given &c: this 25th day of January 1671.

[Francis Lovelace.]

1671/2 Jan. 25

To Capt Jaques Cortelijau
Surveyor Geñrll

No. LXVIII.

NEW YORK AND MASSACHUSETTS BOUNDARIES.

G. E. 4:177 (NYSL)

Ltre from ye Governor & Councell of ye Massa-
-chusetts to his Honor Coll: ffrancis Lovelace.

Sr

1671/2 Mar. 12

Wee salute you kindely. Our Allegiance to our Gracious Soveraigne, yours & our Safety, together wth our just right to that part of ye Countrey, to ye Northward of his Highness the Duke of Yorkes Territoryes beyound New Yorke, requires that wee endeavour Settlemt on that side of our Colony nigh Hudsons River, least through our neglect thereof, the ffrench settling in our Libertyes draw upon us his Mãties Displeasure, & our Loss & extream prjudice, wch wee are carefull to avoid. Sr wee feare your not likeing well of our Endeavors herein; Wee doe therefore request that ffavour that you will bee pleased for our Accomodacõn in that behalfe to permitt that some person or persons whom yorselfe may think fitt for Mr Jno Payne to make choice of, for their Travailes & Knowledge of that part of ye Countrey & Wilderness, wthin our Libertyes, may for his reasonable satisfaction make Discovery to him of such Place wthin our Rights as may bee most encouraging for settlemt; And that you will likewise bee pleased to signify to us yor kinde Admittance, that wee as yor Neighbors & Subjects of one Gracious Soveraigne may have free Egress, & Regress upon Hudsons River for Transportacon of People and Goods; wch will much ease our Charges therein, & yor kinde Returnes by our Messenger whom wee have trusted & employed in

this Affayre shall engage all amicable and like assistance wherein wee may serve his R: Highness & yo^rselfe. G. E. 4:177 (NYSL)

& remaine.

S^r Yo^r Hono^rs humble Serv^ts 1671/2 Mar. 12

Edw: Rawson Secr̃.

In y^e Name & by Ord^r of y^e Governo^r & Councell.

Boston in N: England
y^e 12^th Mar: 1672.[1]

[John Paine to Lovelace for Massachusetts.] Col. MSS. 22:137 (NYSL)

To the Righ^t Hono^rb^le Frances Lovelace Esq^r Gov^r

Jn^o Paine in persuance of the Matathusets desires offers to y^or honor and Counsel's Consideration.

That wee conseive 1672 [May ?]
to deny yo^r Neighbors the kings true Subjects ther priveledg^e of ffree Passage vpp his Majes^t Riuor for the Settlem^t of Plantations within the Limits of ther owne Pattent Rights, In ord^r to the furd^r jncreas of his Majes^t good Subjects, the defens^e of those alredye Settleed (together w^th yor Selues allso) from the Intrusions of a fforrain Nation cannot consis^t with that Justis, Reason and Natvrall Loue which wee doubt not, you may be said not only to haue butt to Owe to all his Majes^t good Subjects, more Spetially to thos^e whose Reality^e & Redines to assis^t you hath been well experienced in the Reduceing^e this verrie Cittie, his Highness the Duke is now Master off. ffurder considering each others true ffreindship & Loveing Aide In thes times of Cõmotion of the Nations may be as Requisite and more wellcom then before. One thing more wee offer, that when yo^r hon^r & Counsell con-

[1] The year in this case is 1671/2, not 1672/3, as might be inferred.

Col. MSS. 22: 137 (NYSL)

1672 [May ?]

sulted the mattayhusets Proposalls, and thout it Reasonable to Grant yor keind assistance for o^r discoverie, it was then Granted for o^r jncoredge^mt that or Charges & Travils in that behalf shoold not bee ffrustrate In case wee proueed Succesfull jn a discoverie within the mattathusetts Line to the East of Hudsons Rivor, which is Don. Now the mattathusetts true jntents herein Js the jmprouem^t of ther owne Rights Only, the jncreas off Plantations, and his majes^t Subjects, and ther defense against the jnvations or jntrutions of a fforrain Nation and no vnkeind or Pollitick deuise to Expand ther Line Or Possesions vppon anie part of his Highnes y^e Dukes Just Rights.

Wee therfore desire you will Pleas, as our assurance of yo^r like affection and keind Corrispondance, to be Possitiue in determining^e in the affirmatiue y^t wee haue ou^r ffree Passag^e And to Ceas all missapprehentions, If you shall think ffitt to grant or desires with that Restriction y^t wee Settle no Plantation on the west^w^d Side of Hudsons Riuor vntil the dissisiue Pattent Lines between his highnes y^e Duke & y^e Mattathusets Bee ffairely Runn wee shall therto manifest o^r ffaire Complyance and keind acceptance and Remain

Yo^r Hono^rs hum^ble Serv^ts

Endorsed: [*Not signed*]

M^r John Paines
addresse to the Governo^r touching the
Massachusetts &c
1672.

G. E. 4: 178 (NYSL)

The Governo^rs Answer to y^e Letter of the Massachusetts, by M^r Paine Aug: 8^th 1672.

S^r

1672 Aug. 8

I receiv'd yo^r Lett^r of y^e 12^th of March 1672. by the hands of M^r Jn^o Paine, a Person very fitt for such an Vnder-

taking you designed him, being of a temper Active & of a singular good Comportment, & haveing perus'd the Contents of it, I found it noe Difficulty in mee to comply w^th^ your Desires, where I saw it did not oppose the Current of my Royall Masters Interest; I must confess those generous Cogitac̃ons of yours to enlarge yo^r^ Territoryes, might doubtless have mett with more satisfaction, both to yo^r^ Selves, & all other Neighbouring Colonyes, w^ch^ bound on yo^rs^, if these Resoluc̃ons of yours had been started, when his Sacred Mã^tie^ who wisely foreseeing y^e^ Inconveniencyes that might arise by y^e^ uncertainty of Bounduaryes, happening from erronious Principles, as Variac̃on of Compasses, & other Obscuryties, traced by immaginary Lines, where though the Error at the first setting forth may appeare but inconsiderable, yet by y^e^ vast extension of it; will at length terminate into a palpable Encroachment, if then I say this Designe of yo^rs^ had been revealed when his Mã^tie^ out of his Princely & Paternall regard to these his American Dominions, was at that large Expence to com̃issionate Persons of known Integrity to make Inspection into severall publick affayres; Amongst other things, this in particular was recommended to their considerac̃ons, t'is more then probable a positive Determinac̃on would have ensued, & freed us from all future Doubts & Jealousyes, by affixing such Stations to each Lymitts as might have assured each Colonyes their undoubted Rights and possessions. But I waveing any Expostulac̃on that concern'd the time before I had y^e^ Hono^r^ to assume this Charge of my Royall Master, I am now only to assure you how ready I was & shall bee to comply w^th^ each Desire of yo^r^ Letter; How amicably I receiv'd yo^r^ Messenger, (in w^ch^ I had regard to yo^r^selves as well as to his own merritt) I leave to his Candor & Justice to informe you, & because w^th^ those I desire to converse w^th^ by all mutuall

G. E. 4: 178 (NYSL)

1672 Aug. 8

G. E. 4:178 (NYSL) ffriendship & Correspondency, my Nature is to deale frankly & openly w^th^ them, I am to informe you that haveing a fitt Opportunity to signify these Resolutions of yo^rs^ to my Royall

1672 Aug. 8 Master, I have transmitted them thither, hoping before you will be ready to putt this your Affayre into practice (the unhospitableness of the yeare approaching) I may bee furnisht w^th^ such Directions from him as may bee both agreeable to your Desires, & free mee from the Imputation of Precipitateness in too positively determining an Affayre of that Weight, without his Privity.

For the other part of your Letter concerning y^e^ ffrench your ffeares may be cured now, by the strict Vnion that is betwixt the two Crowns. S^r^ If in this or any other civill Affayre, I may anywayes bee advantagious to you, prepare but your Directions, and I shall soe comply w^th^ them as one that desires to bee known by the Compellation of

S^r^

Yo^r^ very humble Servant

Fran: Louelace.

N: Yorke. Aug^st^ y^e^ 8^th^ 1672.

No. LXVIII (a).

MASPETH KILLS — CONFIRMATION OF LAND TO HENDRICK JANSEN.

Patents 3:106 (Sec. State) A Confirmacon Granted unto Hendrick Jansen for a parcell of Land upon Long Island at Mashpeth Kills.

1672 May 20 Francis Lovelace Esq^r^ &c Whereas y^e^ Surveyo^r^ Gen^all^ M^r^ Jaques Cortelijau did heretofore by Ord^r^ of y^e^ Dutch

Governour Petrus Stuyvesant Survey & lay out for Hendrick Jansen a certaine parcell of Land upon Long Island in Meshpath Kills within the Jurisdiction of Newtowne lyeing & being on the North-East side of ffrancois Hendricksē, and on the South-West side of Jan Hendricksē, stretching on either side upon a North-West Line, conteyning in Breadth ffourty Rodd, & in length one hundred & seaventy Rodd, In biggnesse about two & twenty Acres or Eleven Margen & two hundred Rodd; Together w^th a piece of Salt Marsh or Valley between Gijsbert Elbertsē & Jan Hendricksē of about two Acres or one Margen; as also a Lott of Land between Joris de Capres & Jan Hendricks in Breadth ten Rodd & in length from the High-Way to the Meadow or Valley. All which the said Hendrick Jansen hath for severall years been in Possession of & hath Planted and manured the same. Now for a Confirmation unto him the said Hendrick Jansen in his Possession & Enjoym^t of the Premisses &c:— The Patent Dated May 20^th 1672.

Patents 3: 106 (Sec. State)

1672 May 20

No. LXIX.

SCHENECTADY — DISPUTE AMONG THE TAPPERS.

Lycence for Cornelijs Cornelijssen Vielen of Schanechtide to tapp Strong Beer & Liquo^rs there &c:

G. E. 4:83 NYSL)

Whereas Cornelijs Cornelijssen Vielen of Schanectide haveing made his Address to y^e Commissaryes at Albany, desireing hee may have Liberty to tapp Strong Beer & Liquo^rs, & to keep an Ordinary, in recompence of severall Services done by him between them & y^e Maques, the w^ch

1671/2 Jan. 9

G. E. 4:83 (NYSL)

1671/2 Jan. 9

They have recommended to mee for my approbacon, But in regard there is a Person already there, (by name Aques Cornelijssen Gantsh an Indyan that doth ye same by Lycence & Appointmt of my Predecessor Coll: Richard Nicolls would give noe Determinacon therein; And it being likewise repr̃esented thet ye said Aques hath not sufficient Accomodacon for Strangrs, wch ye said Cornelijs Cornelijsen Vielen doth promise to be well provided off for ye reliefe of Strangrs, & Travellors. Vpon Consideracon had hereupon I have thought fitt to Graunt ye Request of ye said Cornelijs Cornelijssen Vielen, & by these pr̃sents doe give him free Lycence & Lyberty to tap or sell by Retayle Strong Beere or Liquors to Strangrs & Travellers at Schanechtide; wth this Provisoe, That this Lycence now granted shall not take away ye priveledge of ye former Lycence given by my Predecessor to Aques; And that ye said Cornelijs Cornelijssen doe keep fitting Accommodacon for Men and Horses, but doe not pr̃sume to Sell any Strong Liquors to ye Indyans to cause any disturbance that way under ye penalty of forfeiting this Lycence, & paying such ffine as ye Law shall require. Given under my Hand at fforte James in New Yorke this 9th day of January. 1671.

Fran: Louelace

G. E. 4:133 (NYSL)

1672 May 6

An Ordr about ye Tapprs at Schanechtide.

Whereas I am given to understand that some Dispute and Difference hath arisen between Cornelis Cornelijssen Vielen & Jaques Cornelijs about their keeping Ordinaryes or Tapping at Schanectide, for the wch the one had Lycence from my Predecessor Coll: Nicolls, and the other from my selfe, yet soe as that the one should not any way molest or hinder the other; Vpon Consideracon had thereupon, I have thought fitt for ye present to Ordr that Mattrs between them shall

remaine as heretofore, that is to say that both of them have Lycence to tapp without molesting y^e^ one y^e^ other, soe that they regulate themselves according to y^e^ Customes & Lawes in such Cases provided, & suffer noe Disorder thereby. Given under my Hand at Forte James in N: Yorke this 6^th^ day of May 1672. G. E. 4:133 (NYSL) 1672 May 6

[Francis Lovelace.]

No. LXX.

DELAWARE — ENCROACHMENTS FROM MARYLAND, NEWCASTLE ERECTED INTO A BAILIWICK, FORTIFICATIONS, WHOREKILL AFFAIRS, ETC.

[Certificate from the Whorekill about a Surveyor sent there from Maryland.] Col. MSS. 20:35 (NYSL)

27^th^ of Aprill 1672

This morning appeared before vs Harman Cornelius and John Kipshaven who informe that a certaine ꝑson by name M^r^ Jenkins who came into the Hoerkill and there surveyed severall lands in the bay & p^r^tended Com̃ission from the Lord Baltemore threatning the Inh̃itants that denyeth his power that they shall be sent far into Marylande, there to be punished whether he has Comission or noe is vncertayne these wee thought fitt to acquaint yo^r^ hono^r^ w^th^ to wayte yo^r^ hono^rs^ further order — 1672 Apr. 27

Will Tom
piete alrichs
Walt^r^ Wharton
Ed: Cantwell

Col. MSS. 20:35 (NYSL)

Endorsed:

A Certificate from the Whore Kill, about a Surveyo^{r} sent there from Mary land. 1672

1672 Apr. 27

Col. MSS. 20:29 (NYSL)

At a Councell held at Forte James in New Yorke. May the 17th. 1672.

1672 May 17

Severall Matt^{rs} being taken into Consideracõn relating to y^{e} Government, & other Affayres at Delaware, It was Ordered as followes. Viz^{t}

That for y^{e} better Governm^{t} of y^{e} Towne of New Castle for the future, the said Towne shall bee Erected into a Corporacõn, by the Name of a Baylywick, That is to say, It shall bee Governed by a Baily & six Assistants, to bee at first nominated by the Governour, & at y^{e} Expiracõn of a yeare foure of the six to goe out, & foure others to bee chosen in their Places, The Baily to continue for a yeare, & then two to bee named to succeed, out of whom y^{e} Governo^{r} will elect one; Hee is to preside in all y^{e} Co^{rts} of the Towne, & to have a double Vote; A Constable is likewise annually to bee chosen by y^{e} Bench.

The Towne Court shall have Power to try all Causes of Debt or Damage to the Vallue of ten pounds without Appeale.

That y^{e} English Lawes according to the Desire of the Inhabitants, bee Establisht both in y^{e} Towne, & all Plantations upon Delaware River.

That the Office of Schout bee converted into a Sheriffalty, & y^{e} High Sherriffs power extend both in the Corporacõn &

River, & that hee bee annually chosen by two being p^r^sented to the Governo^r^, of whom hee will nominate & confirme one. Col. MSS. 20:29 (NYSL)

As to y^e^ Clause given in by the Offic^rs^ and Magistrates there, about having a free Trade without being obliged to make Entry here, but that it may bee done there, paying his Mã^ties^ Customes & Dutyes; It is thought fitt that the Determinacõn thereof bee for the p^r^sent suspended untill Directions bee sent about it out of England, or some farther Consideracõn had thereupon here. 1672 May 17

And for y^e^ Matter of the Whore-Kill brought by Cap^t^ Carr certifying that some person from Mary-land pretend Interest there, & seat themselves without Leave, The Offic^rs^ are to take care that his Mã^ties^ & his Royall Highness Interest there bee not infringed, and that they submit themselves to nor acknowledge any other Governm^t^, unless they have Order to doe the same from the Governour here.

By Ord^r^ of the
Governo^r^ & Councell.

[Richard Perrot to Lovelace. Seeking Patents of Land at Delaware, for Settlement near the Whorekill.] Col. MSS. (NYSL) 20:36

May it plese youre Honer

In May Last my selfe with sume other Gentelmen of vergeney Came over to delieware to see the plase and Liking the plase wee made Choise of severall tractes of Land for our selfes and nabores and had made bolde to Haue given youre Honer A visitt had not one of our Companey falen ill so that wee implied M^r^ walter wharten ffor to paten our Land: now may it plese youre Honer About tenn dayes before I Came to seete the Marelande men Haue sarvaed it agane in the Lordes name I much fere it will disherten the Rest of the gentelmen from Cuming vp at the falle and sever- 1672 June 21

Col. MSS. (NYSL) 20:36

1672 June 21

all more of our nabores that would Cume vp at the fale of the lefe very Honest men and good House Keepers they desired me to take them vp sum land which I am doutfull to doue vnlesse youre Honer will bee plesed to giue me permishon for it: I dout not but to se the plase well seted in tow or three yeares at the [*faded*] and A trade from London the plase is good and Helthf[ull] and wanteth nothing but peple I was in good Hopes I should haue had the Hapines to haue got vp before your[e] Honer left deliware but my hopes was in vaine I Hope youre honer will bee plesed to honer mee with A line or two whoe is youre faithfull and Obedient servant vnknone

Richard: Perrot

ffrom the Horkill
June the 21: 1672

If youre Honer plese to grant vs all the Land to vs vergenianes that lieth betwene the Horekill and the moth[er] kill wee shall take spedey Care for the seating of it as may bee Expe[c]ted at so great A distance when Layed out acording to menes familise what good Land there maye bee found in the distance I know not at present wee Have A desire to be neare together as the plase will aforde In Agust I intend [to go] to vergeney for sum Occasione of bisnes and send vp my sonn

R: P:

Addressed:
These
ffor the Honered
ffransis Loulis Esq[r]
Governer and Captane
generall of nue
yorke p with
Care

Endorsed:
M[r] Perrot
Whorekill—
June. 21, 1672

Proposalls from Cap^{t} Edmond Cantwell to his Hono^{r} y^{e} Governo^{r} on y^{e} behalfe of himselfe, & the rest of his Neighbo^{rs} y^{e} Inhabitants at Delaware. Col. MSS. 20:29 (NYSL)

[1672 July ?]

1. That his Hono^{r} would please to give his Instructions about the finishing y^{e} Blockhouse in Delaware, w^{ch} standeth still in that posture his Hono^{r} left it; It is high time that some speedy Order bee taken therein, in regard not only of the Troubles now likely to ensue from the Warrs in Europe, but that what is already expended thereupon will bee as good as thrown away by reason as it is now, it only stands & rotts; It is humbly conceived that the most effectuall means to bee used for y^{e} Accomplishment will bee by a Geñ^{all} Tax to bee imposed both upon Towne & River.

2. That his Hono^{r} would please to make some Order for the restrayning of Persons to goe amongst the Indyans wth Liquo^{rs} & Drink to sell, whereby great Mischiefe doth frequently arise; there being diverse of late that leaving their own Homes have taken what quantityes of Drink (& other Trade) they pleasd, & gone a hundred or two of Miles to the Indyans Plantations, & there (for a little proffitt) selling what that had to the Indyans, great Vproars and Disturbances have arisen, insoemuch as the Christians living near them have been putt into great ffrights, & unless great Wisdome had prevented, tis believed that Murder had many times been committed by y^{e} Salvages meerly through that Occasion; It were very necessary that this Abuse were regulated.

3. That his Hono^{r} would please to nominate some Person or other to receive the Quit Rents there, there being diverse persons who pretend they are ready to pay them if they knew to whom.

Col. MSS. 20: 29 (NYSL)

[1672 July ?]

4. And that in regard there hath been great Compt^ts from Maryland (about Servants runn[ing] away from thence, who pass thorough New Castl[e] that the Inhabitants of New Castle doe rather help to convey them away then stop them, & soe are accused as being instrumentall to their Escape, It were necessary some Order were made as to that particular; Empowering some Person at New Castle to grant Passes or Ticketts to People that pass to & againe in those parts (w^ch person is to question & examine them) & also laying a ffine upon those who shall bee found to convey away such Persons as are Runn-awayes.

Col. MSS. 20: 30 (NYSL)

Whereas y^e Proposalls hereunto annexed were presented unto mee by Capt Edmond Cantwell I have thought good to give this Result thereupon, together w^th the following Ordrs concerning the Regulation of Affayres in Delaware.

1672 August

In Answer to y^e first Proposall about the New Block house at New Castle in Delaware; Since my former Ordrs concerning y^e finishing thereof have been noe better observed, I doe once more enjoyne them y^e compleating of it, before the first day of November next, & that under the penalty of one thousand guildrs Seawt in case of Default; As to y^e way of raising a Tax or Contribucon for the Effecting thereof, It shall bee left to the Discretion of the Officers there either to raise it by the way proposed, or any other they shall judge most convenient.

To y^e second concerning y^e great Abuse in selling strong Liquors to the Indyans, I doe hereby Order, & strictly enjoyne the Magistrates & Officers at New Castle & other

parts in Delaware River to cause the Lawes & Ord^rs heretofore made on that behalfe to bee more carefully & severely putt in Execucon for the future to prevent such Danger & ill Consequences as otherwise might thereby ensue. Col. MSS. 20: 30 (NYSL) 1672 August

3. As to y^e third, That a Person bee nominated to receive the Quit-Rents in Delaware River, I have thought fitt to Order & Appoint Cap^t Edmond Cantwell, who is to bee the p^rsent High Sheriff, to bee Receiver & Collector of the said Quitt-Rents, for the w^ch hee shall have my Authentick Commission, & for his Trouble & paines therein, hee shall have a reasonable Allowance.

4. And as to y^e fourth about the Runn-away Servants that frequently pass through Delaware either in coming from or goeing into Maryland & Virginia, It is ordered that noe Person or Persons, but such as have Passes and Certificates, or can give a good Acco^t of their Travailes towards these parts, or goeing from hence, shall bee permitted to travaile, but shall bee apprehended, & kept in safe Custody, untill it bee made known what they are, & to whom they doe belong; The Care hereof is to bee committed to y^e Bayliff of New Castle, & y^e High Sheriffe, who are to Act joyntly herein, both as to the Examining of their Ticketts or Passes, and likewise to give Ticketts to such as shall have Occasion thereof; And noe person is to presume privily to conceale or convey away any such Servant, but if hee bee acquainted therew^th, that hee give Notice of any such Runaway unto the Magistrates or Officers under the penalty of [*blank*].

It is likewise Ordered, That Cap^t Jn^o Carr, y^e present Bayliff, & High-Sherriffe, M^r W^m Tom, & M^r Hans Block, or any three of them have Inspection into y^e Arreares of the Quitt-Rents, the ffines about the Long ffinn, as also the Taxes & Rates for the keeping the High & low Courts in

Col. MSS. 20: 30 (NYSL)

1672 August

New Castle & Delaware River, & all other publick Rates and Taxes, to make Enquiry how & where they have been disposed of, or in whose hands they are, and where any persons are in Arreare to levy the same by Distress; Of all which they are to render mee an Exact & speedy Acco^{t} that all Abuses therein may bee regulated.

Whereas his Mã^{tie} hath been pleased to give Order that his Declaracõn of Warr against the States Geñ^{all} of the Vnited Belgick Provinces, should bee proclaimed in all his Colonyes & Territoryes, It is ordered That forthwith after y^{e} Arrivall of Cap^{t} Edmond Cantwell at New-Castle the said Declaracõn is publickly to bee read there, & also at the Whore-Kill as soon as Opportunity shall p^{r}sent to send from thence thither.

That the great Gunns bee wth all convenient speed sent up to the Block-houses in Delaware River according to my former Ord^{r}, And that the greatest bee disposed of according to the distance of the Places.

As to y^{e} Determinacõn of y^{e} Busyness between Foppe Outhout & Isaack Tyne w^{ch} soe long hath been in Dispute, That the Ord^{rs} made by the Co^{rt} at New Castle concerning the same bee inspected & examined into by y^{e} p^{r}sent Bayliff & Assistants in y^{e} p^{r}sence of Cap^{t} Carr & M^{r} Tom, or one of them, who together are to make a finall result thereupon, there having been some Misinformacõn heretofore given unto mee, as to that particular Affayre, w^{ch} is the Occasion of it's being now called in question.

And Lastly, It is to bee taken notice of, That although there is an Alteration as to the Offic^{rs} & holding of Courts at New-Castle, yet this doth noe way intrench upon the Priveledges of the High Court for the Towne & River, w^{ch} is to continue in the same manner it did formerly without any Molestation or Interruption upon this or the like Accompt.

Given under my hand at Forte James in New Yorke this [*blank*] day of August in the 24th yeare of his Mãties Reigne, Annoqꝫ Domini 1672. Col. MSS. 20:30 (NYSL)

[Francis Lovelace.] 1672 August

The Governors choice of Officrs for ye Whore-Kill. G. E. 4:180 (NYSL)

Vpon ye Returne of a double Number from ye Inhabitants at the Whore-Kill in Delaware Bay for Schout & Coñissaryes I doe approve of Hermanus Fredrick Wiltbank to bee Schout, & of Ottho Wolgast, William Claesen, & Isaack Savoy to bee Coñissaryes for the space of one yeare ensueing, after the Expiration of which time they are to make a New Returne. Given under my Hand at fforte James in New Yorke. Aug: ye first 1672. 1672 Aug. 1

[Francis Lovelace.]

Commission for Mr Peter Alricks to bee Bayliff at New Castle in Delaware. G. E. 4:179 (NYSL)

Whereas Mr Peter Alricks is one of ye two Persons whose Names are returned unto mee, out of which to make choice of one to bee Bayliffe of the Corporacõn of New Castle in Delaware River, Haveing conceived a good Opinion of ye ffittness and Capacity of the said Peter Alricks to officiate in that Employmt, I have therefore nominated & appointed, & by these Presents doe hereby Nominate & Appoint him the said Peter Alricks to bee Bayliff, & Principall Civill Magistrate at New Castle aforesaid for the yeare ensueing, of the which all Persons concerned are to take Cognizance, and to give him that respect and Obedience as is due to his Office & Charge; And the said Peter Alricks is in all things & matters relating to his Employment to bee Regulated by 1672 Aug. 2

G. E. 4:179 (NYSL)

1672 Aug. 2

y^e^ Lawes of this Governm^t^, and such Instructions as already have been given by mee and my Councell for y^e^ Ordering of Affayres in that Corporation, or such other Ord^rs^ and Directions, as from time to time hee shall receive from mee. Given under my Hand and Seale at Forte James in New Yorke this 2^d^ day of August in y^e^ 24^th^ yeare of his Mā^ties^ Reigne, Annoq̃ Dñi 1672.

[Francis Lovelace.]

G. E. 4:188 (NYSL)

To Philip Calvert Esq^r^ Governo^r^ of Mary-Land. August 12^th^ 1672.

S^r^

1672 Aug. 12

I thought it had been impossible in these portending boysterous times, wherein all true hearted Englishmen are buckling on their Armo^r^ to vindicate their Hono^rs^ & to assert y^e^ imperiall Interests of his Sacred Mā^ties^ Rights & Dominions, that now (without any just ground either given or p^r^tended) such horrid Outrages should bee committed on his Mā^ties^ Leige [*sic*] Subjects, under y^e^ protection of his Royall Highness Authority, as was exerciz'd by one Jones, who w^th^ a Party as dissolute as himselfe took y^e^ paines to ride to y^e^ Whore-Kill, where in Derision and Contempt of the Dukes Authority bound y^e^ Magistrates, and Inhabitants, despitefully treated them, rifled, & plunder'd them of their Goods; & when it was demanded by what Authority hee Acted, answerd in noe other Language but a Cockt Pistoll to his Breast, w^ch^ if it had spoke, had forever silenc'd him. I doe not remember I have heard of a greater Outrage & Riott cõmitted on his Mā^ties^ Subjects in America, but once before in Maryland. S^r^ you cannot but imagine his Royall Highness will not bee satisfyed w^th^ these violent Proceedings, in w^ch^ y^e^ Indignity rebounds on him; Neither can you but believe, It is as easy an Vndertaking for mee to retaliate

the same Affront on Jones his Head & Accomplices as hee did to those indefencible Inhabitants; But I rather chuse to have first a more calme Redress from you, (to whom I now appeale) & from whom may in Justice expect that Right in y^e^ Castigation of Jones *cum Socijs*, that yo^r^ Nature & the Law has provided for; Otherwise I must apply myselfe to such other Remedyes as the Exigence of this Indignity shall perswade mee to. Thus leaving it to your Consideracõn, I still remaine

G. E. 4: 188 (NYSL)

1672 Aug. 12

Yo^r^ very humble Servant
Fr: Louelace.

Forte James in New Yorke
y^e^ 12^th^ day Aug: 1672.

[Carr to Lovelace. Whorekill and Maryland.]

Col. MSS. 20: 37 (NYSL)

S^r^

According to your Hon^rs^ order we sent thos[e] papers to the Horekill by M^r^ Wharton where they found noe reception, I need not giue your Hon^r^ the resons, for your Hon^r^ will find them in the papers inclosed taken by M^r^ Wharton, the number of men and horse that came to the Horekill was but thirty, but they were sixty halfe way, where meeting M^r^ Parrott going to Acamake and soe to Virginia and vnderstanding by him there was noe other forces from your Hon^r^ but the Inhabitants of the Horekill thirty Horse was sent back to Maryland this M^r^ Parrott is a gentleman seated near the Horekill by your Hon^rs^ Patant, the Horekill boat is come heere with fower of the Inhabitants and desiers to take a tract of land vp the River neare your Hon^rs^ Land, they say before they came from thence Harmanus and Sanders was returned from S^t^ Maries, who brings newes that in Maryland they are Leviing a Considerable force to bring this place and soe fare vp the River to the degree fforty

1672 Sept. 27

Col. MSS. 20:37 (NYSL)

northerly vnder theyr obedience, we shall know more when Cantwell returns with Answer of your Hon^rs Letter, which I shall dispatch to your Hon^r with all expedition, I haue not else but waite your Hon^rs Comaunds, and Subscribe my sealf as in duty bound S^r

1672 Sept. 27

Your Hon^rs most ffaithfull and obedient servant

John Carr

[Ne]w Castle 27^th
[Se]pt. 1672.

Addressed:
Thesse
ffor Generall ffrancis
Louelace
Hast post Hast New yorke.
John Carr

G. E. 4:211 (NYSL)

[Lovelace to Carr. Whorekill and Maryland.]

Lett^r to Cap^t Carr.

Cap^t Carr

1672 Oct. 7

The Lett^rs you send by the Express over Land came safe to my hands w^th the enclosed Relac̃on & Papers concerning the Whore Kill, & the Marylanders forcible possessing themselves of the Place, as also of the Goods & Estates of some of the Inhabitants, of w^ch wee had some Rumo^rs before, but did not give much Credit to it, supposing what was done before to bee the rash Action of some private Person, not thinking the Authority of Maryland would invade his Royall Highness Territoryes w^ch hee hath been possest of for near 8 yeares w^thout giving the least Overture of it to mee, who am here his Royall Highness his Deputy. Their former violent Action & fforce upon those poore unarmed

People, together w^th^ the particulars of their Plunder, I had immediate Opportunity of transmitting to his Royall Highness by a Ship then bound away for London, the w^ch^ I made use of, & recommended their Case, & I hope it hath long ere this arrived his Hands, soe that some Directions about it may bee expected in a short time, till when I think it best for the present to leave matt^rs^ there as they are; But as to the Cloud w^ch^ likewise hangs over yo^r^ heads at Delaware, w^ch^ its said they are making Preparac̃ons to invade, My Instructions & Orders to you & the Officers in Geñ^all^ are, that you putt yo^r^ selves into the best posture o f Defence possible you can, by fitting up the ffort in the Towne, keeping yo^r^ Companyes in Arms both there & up the River, who are to provide themselves w^th^ fitting Ammunic̃on, & that all Souldyers bee at an houres Warning upon any Alarum or Ord^rs^ given; That in the Towne especially you make yo^r^ Guard as strong as you can, & keep a strict Watch; And if any Enemy comes to demand y^e^ Place, That you first desire to know their Authority & Commission, & how it comes to pass those of Maryland should now make such an Invasion, after soe long quiet possession of those parts by his Royall Highness his Deputyes under his Mã^ties^ Obedience, & by other Nations before that, severall yeares before the Date of the Lord Baltimores Patent, whom they never disturbd by Armes, & whose right is now devolv'd upon the Duke. Stand well upon your Guard & doe not beginn w^th^ them, but if they first break the peace by firing upon yo^r^ Guards or any such hostile Action, then use all possible means to defend yo^r^ Selves and the Place, & command all his Mã^ties^ good Subjects to bee ayding & assisting to you, who I hope will not bee wanting to their Abilityes; In all Matters of Concerne you are to take Advice of the chiefe Officers there, This will come to you by yo^r^ Bayliff M^r^ Peter Alricks, who

G. E. 4:211 (NYSL)

1672 Oct. 7

G. E. 4:211 (NYSL)

1672 Oct. 7

is hastening over Land to secure his Affayres there in this portending Invasion, & to give his best help for y^e^ Safeguard of the Place, & his Royall Highness his Interest. Vpon all Occasions faile not to send an Express to mee, by whom I shall give you such farther Directions & Assistance as will bee requisite; & if occasion shall bee will come over my selfe in Person though the Spring would bee more suitable for mee then a Winter Voyage. Soe recommending all things to your Care & Vigilance, of w^ch^ I expect a good Acco^t^ I Conclude being.

Yo^r^ very Loving Friend
Fr: Louelace.

Forte James in N: Yorke
this 7^th^ day of Octob^r^
1672.

Col. MSS. (NYSL) 20:38

[Captain Edmond Cantwell to Lovelace. Whorekill Matters and Maryland.]

N Castle y^e^ 10 of December 1672

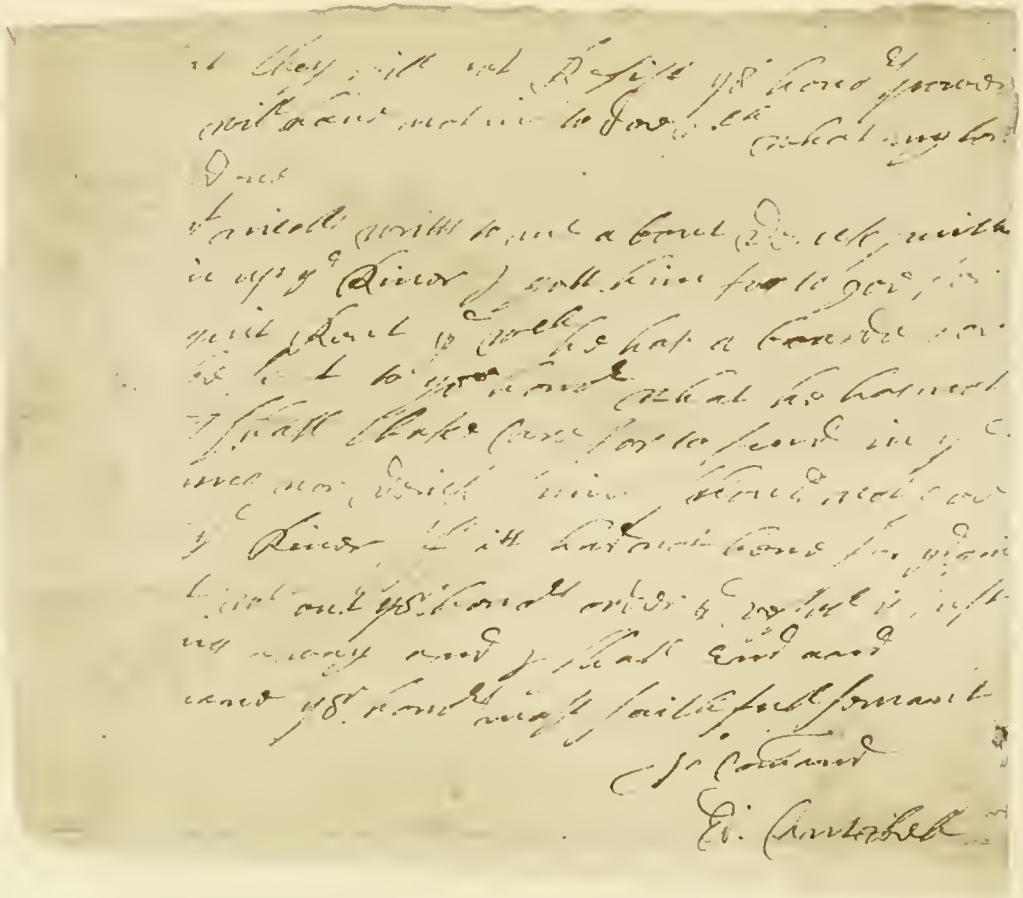
1672 Dec. 10

Right honra^ble^ S^r^

yo^r^ hono^r^ writts m^r^ alrichs of my not wri[ting] to yo^r^ hono^r^ I had writt to Cap^t^ nicolls att Large of what I heard and saw att m[ary] Land I thought Cap^t^ nicolls would haue Informed yo^r^ hono^r^ of all I heard so much that my lorde thus intend for to keepe y^e^ whore kill I saw Jones power to seas [1] all Indyan goods or skins att y^e^ whore kill and one Smith y^e^ Juge of y^e^ Co^rt^ att y^e^ whore kill tould me that my lorde baltemore gaue him order for to driue a 20^d^ naill in y^e^ touch hole of y^e^ great gon and seas y^e^ gone and mill stones att y^e^ whore kill his Coñission was soe Large as yo^r^ hono^r^ Can Imagen when I Came to s^t^ marys Jones

[1] The meaning is: "I saw Jones's power to seize," etc.

Opposite p. 683



SECOND PAGE OF CAPTAIN EDMOND CANTWELL'S
LETTER TO GOVERNOR LOVELACE.

(Reduced from 6½ by 8 inches.)

went to y^e^ gouern^r^ and he writt upon y^e^ back side of his Com̃ission that he would mantane his Com̃ission I tould them that itt was a folly for them for to striue aganst yo^r^ hono^rs^ power and tould them If yo^r^ hono^r^ gaue but order for to beat a drom all y^e^ seruans would Com away from them y^e^ most part o[f] y^e^ people thus fear that theire seruan[ts] will run away from them all y^e^ people w[ill] be glade submitt them selues onder yo^r^ hono^r^ Gouerment and they plaenly say that they will not Resist yo^r^ hono^rs^ power nor will haue noting to doe w^th^ what my lorde has done

Col. MSS. (NYSL) 20:38

1672 Dec. 10

Cap^t^ nicolls writts to me about derick smith goin up y^e^ Riuer I gott him for to goe for y^e^ quit Rent y^e^ w^ch^ he has aboarde for to be sent to yo^r^ hono^r^ what he has not in I shall thake Care for to send in y^e^ spring nor derick smith should not goe up y^e^ Riuer If itt had not bene for y^e^ quit Rent w^th^out yo^r^ hono^rs^ order y^e^ vessell is just going away and I shall end and Remane

Yo^r^ hono^rs^
most faithfull seruant
To Com̃and
Ed: Cantwell

Addressed:

ffor y^e^ Right honra^ble^
Coll ffrancis Louelace Esq^r^
Gouerno^r^ off all his
Royall highnesse Terotories
In Amerikae att
new yorke
p̄sent

Endorsed:

Delaware from Cap
Cantwell of the 10^th^
of December 1672

No. LXXI.

LONG ISLAND — COMMISSIONERS FOR INDIAN AFFAIRS.

Deeds 2:49 (Sec. State)

A Commission graunted unto Captaine Thomas Topping, M^r William Wells and others, to heare and determine differences betweene Christians and Indyans.

1666 July 11

Whereas severall Complaints have been made unto mee, of divers Trespasses and abuses done, and rec^d both by English men and Indyans, living at the East end of Long Island, for w^ch there is no Remedy in the Ordinary Course of Law, but at y^e Courts of Sessions or Assizes, w^ch may in some regard bee too long a time, before reparac̃on can bee made, or Satisfaction given for the same; These are to Authorize and appoint you, Cap^t Thomas Topping, one of the Councell to y^e Government under his Royall Highnesse the Duke of Yorke, M^r William Wells high Sherriffe of Yorksh̃ upon Long Island, M^r John Mulford, one of y^e Justices of the Peace, M^r John Howell, and M^r Thomas Baker to bee Commission^rs for the well Manageing of all Affaires betweene the English and Indyans, And you, or any three of yo^u, have hereby Power and Authority, as occasion shall require, meet and enquire into, as also to heare and determine any matt^rs in difference betweene the English and Indyans, touching Trespasses[1] or Damages, done by one to the other, and to Order Satisfaction and Reparac̃on, as yo^u shall finde Cause; You are also to take care that the Agreement made heretofore before mee, betweene the Townes of

[1] Inadvertently written " Trespaspasses " in the original record.

Easthampton and Southton, and the Indyans bee duly performed & observed; You are likewise Empowred to Summon any Person or Persons offending, by Warrant to appeare before yo^{u}, w^{ch} if they shall refuse to Obey, you may impose a ffine or ffines on such Persons for their default, And all Civill and Military Offic^{rs}, are to bee aiding and Assisting unto yo^{u}, according to y^{e} Teno^{r} of such Warrants, as they shall receive under any three of yo^{r} hands, And lastly, You are hereby Authorized to make such Orders and Constitutions, as you shall finde necessary and expedient for the better regulating all matters and Affaires betweene the English and Indyans of yo^{r} parts aforesaid, of w^{ch} yo^{u} are to give one Copy to y^{e} Indyans, and remitt another to mee for Confirmac̃on; And for what yo^{u} shall do in the prosecution of this Commission, this shall bee unto yo^{u} and every of yo^{u}, a Sufficient Warrant; Given under my hand and Seale, at ffort James in New Yorke, the 11th day of July 1666.

Deeds 2:49 (Sec. State)

1666 July 11

Rich^{d} Nicolls.

Łre from y^{e} Governo^{r} to y^{e} Com̃^{nrs} for y^{e} Indyan Affayres at y^{e} East end of Long-Island.

G. E. 4:119 (NYSL)

Gen̄.

I take hold of this Opportunity by y^{e} hands of M^{r} Delavall to acquaint you of severall Complaints that have been p^{r}ferr'd to mee concerning yo^{r} Administrac̃on of Justice in relation to y^{e} Indyan Affayres many seem to groan under yo^{r} heavy Hand, believing the Intention of that Commission you were invested wth will not extend to y^{e} Determinac̃on of severall Causes w^{ch} naturally appertaine to y^{e} Sessions. When that Commission was graunted to you by my Predecesso^{r}, (& since allowed of by mee) it was in y^{e} infancy of time, before the Whal[e]fishing was in Practice, & then lookt

1672 Apr. 20

G. E. 4: 119 (NYSL)

1672 Apr. 20

on as an Expedient to keep y^e^ Indyans in some Order & Decorum. But Multiplicity of Affayres dayly intervening, by vertue of yo^r^ Commission you seem to extrude Causes properly determinable at y^e^ Sessions, by w^ch^ means y^e^ Inhabitants will believe themselves debarred from y^e^ Ordinary Establisht way of Administracõn of Justice towards them. You have now Justices of y^e^ Peace sufficient to sitt in the Courts; And therefore if Matt^rs^ were determined in those Co^rts^ of Sessions I believe it would give a generall satisfaction to y^e^ whole Countrey; but in regard I am soe great a Stranger to this new Affayre, I shall determine Nothing at this time positively, desireing I may Discourse it w^th^ you at Seatalcott, where I will bee (by y^e^ help of God) on y^e^ 8^th^ day of May. I cannot but take Notice that notwithstanding I sent Ord^rs^ by Cap^t^ Manning that you should forbeare to ffine & Levy them till my farther Ord^rs^ were signifyed, you notwithstanding proceeded therein; whereby you either believ'd Cap^t^. Mannings Writeing not to bee my Sence, or if mine of noe Validity. I have noe more at p^r^sent, but commit you to y^e^ protection of y^e^ Allmighty, & rest

Yo^r^ Loving Friend
Fran: Louelace

Forte James y^e^
20^th^ of Aprill
1672.

G. E. 4: 121 (NYSL)

Łre from y^e^ Governo^r^ to Cap^t^ De-Lavall at his goeing to y^e^ East end of Long-Island. Aprill y^e^ 20^th^ 1672.

1672 Apr. 20

M^r^ Delavall.

Yo^r^ Occasions calling you to y^e^ East end of Long Island, where probably you may meet w^th^ or heare of some differences between Persons, relating to y^e^ Government, or the

Administracon of Justice, I doe recommend it to you to make such Enquiry thereinto as in yo^r prudence you shall finde requisite, & that with the other Matt^rs concerning Cap^t Topping & the Comn^rs for y^e Indyan Affayres you give mee an Acco^t at our Meeting at Seatalcott on y^e 8^th day of May next; Soe I heartily wish you a good Voyage being I am

Yo^r affec^ate Friend.
Fr: Louelace.

New Yorke Apr:
y^e 20^th 1672.

G. E. 4:121 (NYSL)

1672 Apr. 20

No. LXXII.

OYSTER BAY — REGULATION OF WHALING.

An Ord^r of Councell about y^e 3 Whales cast adrift at Oyster Bay.

G. E. 4:135 (NYSL)

At a Councell held at Forte James in New-Yorke y^e 17^th of May 1672.

Whereas it was rep^rsented unto his Hono^r y^e Governo^r that a certaine difference had arisen between Jn^o ffinch of Huntington & severall persons of Oyster-Bay concerned in the Whale-ffishing Designe, touching three Drift Whales cast upon the Beach & cutt up & tryed by those of Oyster-Bay, wherein his Royall Highness was concerned as to his particular Dues out of the Oyle of the said Whales; All w^ch was referred by y^e Governo^r to Thomas Delavall Esq^r one of y^e Councell to Examine & Endeavour a faire Composure betweene y^e Partyes, secureing the Dukes Interest; Hee

1672 May 17

G. E. 4:135 (NYSL)

haveing an Ordr in the meane time to receive the Oyle, & bee accomptable for ye same when the Controversy should bee decided, to whom of Right it did belong; And the said

1672 May 17

Thomas Delavall haveing Declared that to prevent farther Contest, hee had made a faire Agreemt between them or most of them concerned; That is to say, That Jno ffinch should have for his Share or Proporc̃on ffifteen Barrells of Oyle upon Accot of his Interest in ye Beach where the Whales were cast up, out of wch hee is to pay his Royall Highness his Dues, & two Barrells more to beare the Necessary Charges had hereupon; And that ye Remainder should bee unto them of Oyster-Bay that cutt up & tryed the Oyle of the said Whales for their Charge & paines therein, together with ye Cost of the Barrells, & Transportac̃on; Vpon Considerac̃on had hereof, the Governor & Councell have thought fitt to allow, & doe very well approve of what ye said Thomas Delavall hath done herein, And doe order that the Agreement aforenamed doe stand good & bee observed accordingly.

By Ordr &c:

No. LXXIII.

DELAWARE — EXPEDITION OF GOVERNOR LOVELACE FOR SETTLEMENT OF AFFAIRS THERE.

G. E. 4:110 (NYSL)

An Ordr for Capt Nicolls to summon a Part of his Troop to attend ye Governor to Delaware.

1671/2 Mar. 8

Whereas there is an Occasion of my goeing in Person to Delaware over Land as well as conclude a Peace amongst

G. E. 4: 110 (NYSL)

1671/2 Mar. 8

the mutinous Indyans in those Parts, as to settle Affayres in that River under his Mãties Obedience, for ye wch both for the Reputacõn of his Royall Highness, whose Person I repr̃sent here as his Governor, & safety of my selfe & Retinue, It will bee requisite, That I have a Party of Horse out of ye Troope risen in the North & West Rideings of Long-Island, & likewise out of this City of wch you are Commandr; These are to Authorize & require you, That you forthwth send Orders to the Officrs or others of your Troope as you shall finde convenient to Summon soe many Persons in each Towne that are enlisted in yor Troope (besides Officrs) as will make up ye Number of Twenty to bee ready with their Horses & Armes, & that they give their Attendance at ye certaine dayes & times pr̃fixt, of which you are to give them notice; And that noe Person to ye said Troope belonging shall thinke himselfe burthen'd or exempt from this Duty, those that stay behinde shall be obliged to beare their Equall Share & part of ye Trouble & Charge their ffellow Souldyers shall bee putt to that goe; But whosoever being appointed & adjudged fitt to goe by his Officr & shall refuse to doe his Duty therein, Hee shall pay as a ffine ye Sum̃e of five pounds, the one halfe to bee paid to ye Person who shall bee chosen & goe in his Place, & the other for ye use & Benefitt of the Troope. Given under my hand this 8th day of March 1671.

Fr: Louelace.

To Capt Matthias Nicolls to be Communicated to ye rest of ye Commission Officrs of the Troope of Horse, on ye North West parts of Long Island.

[44]

G. E. 4: 111 (NYSL)

The Ord^rs sent by Cap^t Nicolls to y^e Offic^rs in persuance of y^e Governo^rs Warrant above-written.

1671/2 Mar. 9

Whereas I have receiv'd a Warr^t from his Hono^r y^e Governo^r strictly commanding mee to send forth Ord^rs to y^e Offic^rs or others of my Troope as I should finde convenient to Summon soe many Persons lysted in each Towne belonging thereunto (besides Offic^rs) to make up y^e number of Twenty to attend y^e Governo^r over Land to Delaware. You are hereby ordered & required forthw^th to Sum̃on [*blank*] in y^e Townes of Hempstead, Oyster-Bay, & Leusam (als Robert Williams his ffarmes) to prepare themselves & bee in a readyness w^th their Horses & Armes; And that you together w^th them bee at y^e fferry on Tuesday y^e 19^th day of this instant Month, where Boates will be ready for their Transporta c̃on to y^e Nevisanz at the Geñ^rll Rendezvous, w^ch is appointed to bee upon y^e 22^th day being ffriday following; And whosoever shall bee by you pitcht upon & doe refuse to obey yo^r Commands, they will bee lyable to pay y^e ffine in y^e Governo^rs Warrant exprest, whereof you have herew^th a Coppy. Of y^e due Observance of these Ord^rs You are not to fayle at your Perill. Given under my hand at New Yorke this 9^th day of March 1671.

[Matthias Nicolls.]

To Cor p̃^rll Joseph Smyth
at Hempstead these.

The like was sent to Cor p̃^rll W^m Chatterton of fflushing for y^e Townes of fflushing & Jamaica, or who y^e Lievtenant & Cornett should appoint.

The like also to Cor p̃^rll Jn^o Garland for y^e Townes of Breucklyn, fflatt-Bush, fflatt-Lands, Gravesend, & New Vtrecht.

Another Warr^{t} from Cap^{t} Nicolls about this Affayre. G. E. 4:112 (NYSL)

1671/2 Mar. 9

You are hereby ordered in Prosecuc̃on of y^{e} Result of the Governo^{r} & Councell, & y^{e} Governo^{rs} Speciall Warrant directed to mee, of which you have Coppyes, that out of y^{e} Number that are to attend y^{e} Governo^{r} over Land to Delaware, you pitch upon three persons to goe wth Corp̃^{r}^{ll} John Garland, who is appointed to lead the way, & make prepara c̃on for y^{e} Governo^{r} & his Retinue, the time of his setting forth is to bee on the 12th or 13th day of this instant Month at farthest, & whosoever being summoned & thought fitt to goe with him, & shall refuse, will bee lyable to pay y^{e} ffine in y^{e} Governo^{rs} Warr^{t} sett forth. Hereof you are not to fayle. Given under my Hand this 9th day of March 1671.

Matthias Nicolls.

To Quart^{r} Mast^{r} Thom: Wandall & Corp̃^{r}^{ll} Jn^{o} Garland.

Memorand^{m} That y^{e} Quarter Mast^{r} is ordered to summon those of Newtowne that are to goe with y^{e} Governo^{r} as well as those that are to goe with Corpõ^{r}^{ll} Garland.

Instructions for M^{r} Garland about makeing preparac̃ons for his Hono^{rs} Voyage to Delaware G. E. 4:114 (NYSL)

M^{r} Garland

1671/2 Mar. 12

You are to goe wth that Party of Horse yo^{r} Cap^{tn} hath allotted you to Nevesincks, & from thence as speedily as you can (with a Guide) to march to y^{e} House of M^{r} Jegoe, right against Matinicock Island in Delaware River, where there are some Persons appointed ready to receive you.

Being arriv'd at y^{e} River side as afores^{d} you are to goe

G. E. 4:114 (NYSL) to Wickako, or where you shall bee directed that Cap^{t} Carr & Commissaryes are, to whom you are to deliver yo^{r} Letter; & then to follow their farther Instructions.

1671/2 Mar. 12 You are to see that all conveniencyes for mee, & Party bee made ready for our Accomodac̃on, as Provisions, Boats &c: & likewise a Considerable Guard of Men at Matinicock Island.

After all these things are thus in Ord^{r} you are then to meet mee wth yo^{r} Party, & such other Volunteers as are dispos'd to accompany you; & meet mee one dayes Journey, w^{ch} is at y^{e} great Indyan Plantac̃on, where I intend to lodge that night, & purpose by Gods help to bee there on y^{e} 24th day of this instant month March (& perhaps on y^{e} 23^{d}) When wee are there at y^{e} Gen^{rll} Rendezvous I shall sett things into further Order.

You are to treat y^{e} Indyans & others wth all Civility, and to contrive it soe that y^{e} Susconck Indyans may bee there when I passe by.

You are to assure all y^{e} Indyans that y^{e} Intention of my Comeing amongst them is out of Love & ffriendship to them; Thus haveing noe more to Entrust you withall, I leave it to yo^{r} prudent Managery, & yo^{r} selfe to the Protection of the Allmighty.

Fran: Louelace

Forte James y^{e} 12th
of March 1671.

G. E. 4:118 (NYSL) Instructions from y^{e} Governo^{r} to M^{r} Delavall & M^{r} Steenwijck at his goeing for Delaware; March y^{e} 18th 167½.

1671/2 Mar. 18 The Affayres of these his Roy^{ll} Highness Territoryes being (God bee praysed) in that tranquillity, & Calme Condition, soe that there is nothing of any new thing w^{ch} might require a particular Instruction, yett in regard some Accidents may

soe fall out as may require yo^{r} wonted vigilance; Cares, and Judgm^{ts} to manage, towards y^{e} publiq peace & welfare of these his R: H^{s} Territoryes, & Authority, therefore what I shall now recom̃end to you will bee but in Geñ^{rll}, leaving Contingencyes, & new Accidents still to yo^{r} prudent Managery, assuring you wthall to justify & stand by you, in any lawfull Determinac̃ons you shall conclude & Act in, being well assured of yo^{r} prudence, moderac̃on & Justice, that y^{e} safety of these his R. H^{s} Interest will bee yo^{r} chiefest Care, & y^{e} Determinac̃on of Civill Interest & Propriety of all that are under y^{e} Protection of my Roy$\bar{l}^{ll}$ Master, yo^{rs} next, as depending on y^{e} former. You are not unacquainted wth y^{e} Designe of this my Resoluc̃on of visiting those more remote parts of his R. H^{s} Territoryes at Delaware, where I hope soe to settle all public Affayres there as may free mee from the farther Expence and Trouble of a suddaine Revisitt of them, I will make all y^{e} Dispatch I possibly can, hopeing to finde you at my returne in y^{e} same quiet Estate I left you, and soe God take you into his Protection, and send us a happy Meeting againe.

G. E. 4:118 (NYSL)

1671/2 Mar. 18

Yo^{r} very much affec̃^{ate} ffriend

Fran: Louelace.

To Thomas Delaval & Cornelijs Steenwijck Esq^{rs} 2 of my Councell to his Royall Highness y^{e} Duke of Yorke in these his Territoryes of America.

The Governo^{rs} Ord^{r} to M^{r} Bedloo to pay the Boat-men about y^{e} Delaware Expedic̃on.

G. E. 4:200 (NYSL)

M^{r} Bedloo.

There being Moneys due unto y^{e} Persons here under men̄coned for their Boat hire, & carrying & bringing back

[1672 Sept.]

G. E. 4:200 (NYSL) [1672 Sept.] the Troopers Horses to and from the Nevesincks in the Expedition to Delaware, upon w^ch^ Acco^t^ you have already by my Order disburst some Moneys, You are hereby ordered to make them the best Satisfaction you can by Discounting w^th^ or giving them Creditt for soe much as by their Bills allowed appeares due, and that you make y^e^ Delaware Voyage Debto^r^ for the same, but that you take care to part w^th^ as little Goods in this time of Exigency as possibly you cann.

The Boat-mens Names to whom Money is due.

Stoffell in the Smiths Valley.
Nicholas the Baker
Francis Leigh.
Dirck y^e^ Wool-Spinner.

Ned Shakleton & W^m^ Welch.. .. } that went w^th^ Governo^r^ Carteretts Boate are already paid.

[Francis Lovelace.]

No. LXXIV.

NAVIGATION LAWS AND TRANSATLANTIC SHIPPING.

(NYSL) [Charles II — Orders for Transatlantic Shipping.]

Charles R[1]

1671/2 Mar. 10 Trusty and well beloved Wee Greet you well. Haveing taken into our Consideration the Ill that have times hereto-

[1] The file copy of this document is lacking in the archives of New York, hence this text is presented from a Massachusetts copy, now in the New York State Library.

(NYSL)

1671/2 Mar. 10

fore befalne the Shipps of our good Subjects in their returnes from our Plantations in the West Indies cheifly through their cõminge from the Said Plantations Scatteringe, and at uncertaine times whereby they have come Vpon the Coasts of England, or Ireland, at Seasons when they have found none of our Shipps of Warr there, whereas if there were certaine Prefixed, and Observed for their returne, care might be taken to Secure the Coast at the Season of their arrivall by Some Shipps Extraordinary to be imployed for this Purpose, Wee have therefore thought fitt out of the Princely Care of the good of our People to appoint certain Seasons in the yeare, at which only Shipps be permitted to Returne from Boston and other Ports, to England, or Ireland, Vnless Such Shall be imployed for our Emediat Service, Either as men of Warr or for carryinge Packitts or the licke Extraordinary Occasions, which Seasons Wee have thought fitt to be the 24th of March, the 24th of June and 24th of September, and Our Will and Pleasure is that you take Care that all Such as Shall be Redy to Sayle at any of the said times, doe enter Bond before you to use their Vtmost Endeavours to keepe Company, and defend each other dureinge their Voyage homewards, and for the better doeinge thereof you are to appoint one of the Cõmaunders of the Said Shipps to be Admirall of the fleete, whome the others are to Observe and follow, that Soe in case they be attempted in their Voyage they may be in the better Condition to defend them selves, And if any Shall be dissobedient to these our Commands, You are to Compell them to the Observeance thereof, and punish them in such manner as may deterr others by their Example, you are further to direct them when they shall be neer the Coast of England, if they Shall not have Mett with Some of our Shipps of Warr in the Soundings, by which they Shall have vnderstood the Estate

(NYSL) 1671/2 Mar. 10

of affaires with our Neighbours, and be from thence incouraged to proceed to their Respective Ports, that they indeavor to touch at the first Port of England, there to Receive further information for their guidance, in which Wee Expect your best Care, and Circumspection, and for the Preventinge any Surprize that might otherwise befall our Plantacons in those Parts, or the Shipps tradinge theither whilst they are in Port vpon any Suddain change of affaires here in Europe, Wee have thought good thus early to warne you of it, Willinge and Requireinge you to Neglect Noe time to Consider of the Securety of that Place, in all Respects, and timely to make Provision as well for its Safety and defence, as for the Protection of the Shipping, that Shall be there, upon any Emergency that may happen, the pertickulars of which wee leave to your owne discression, to be prosecuted with Care and dilligence in that order that Shall appeare most Necessary to you upon the Place, and for Soe doeinge these our Letters Shall be Your Suffitient Warrant, Given at our Court at White Hall the 10th day of March 167½

By His Majties Comand.

Ahlington[1]

To our Trusty and well beloved
Ovr Govor & Council off our
Collony of the Massachusetts
in New England To
be Comunicated to the Rest of
our Collonys there

Endorsed:

Copie of his magisties
Letter dated ye 10th of
March 167½ about ye
Dutch warr &c

[1] Arlington.

Certificate from y^e^ Governo^r^ on y^e^ Behalfe of Cap^t^ Haslewood, touching his Stay in this Porte. G. E. 4: 140 (NYSL)

These are to Certify all whom it may concerne that Cap^tn^ Clayborne Haslewood Command^r^ of y^e^ Ship the Justice of London hath been by my Order stopt from proceeding in his Voyage for Europe, from y^e^ 24^th^ day of May last, when his Ma^ties^ Letter came to my Hand unto this present day that hee hath received his Mã^ties^ Packett, & other Dispatches for England. Given &c: this 7^th^ day of June 1672. 1672 June 7

[Francis Lovelace.]

An Ord^r^ to Cap^t^ Haslewood at his departure.

These are to require you that if it shall soe happen, in yo^r^ Voyage homewards that you meet w^th^ any Merch^ts^ Shipp of fforce, or English Man of Warr bound for England, that you keep them Company & acquaint them, It hath been his Ma^ties^ Command & Pleasure, That all Ships bound the same way should keep Company together for their Mutuall Safety against an Enemy, and that before you come into the Channell or the Lands end of England, there are Convoyes appointed, w^ch^ will bee ready to conduct you safe to your Porte; Soe God send you a good Voyage. Given under my hand at ffort James in New Yorke this 7^th^ day of June 1672.

[Francis Lovelace.]

To Cap^t^ Clayborne Haslewood
Comander of y^e^ Ship y^e^ Justice
of London.

G. E. 4: 146 (NYSL)

An Order about Sayling.

1672 June 27

Whereas his sacred Mã^{tie} out of his Princely Care & regard to y^{e} welfare & safety of y^{e} Ships belonging to his Subjects tradeing in America or elsewhwere, to y^{e} end by y^{e} suddaine Revolucõns that are now likely to happen in Europe they may not bee surpriz'd & taken by y^{e} Enemyes to y^{e} Crowne of England in their Returnes homeward, hath been graciously pleas'd to prefix certaine Seasons in w^{ch} they shall quitt their Portes in America only, that is to say, on y^{e} 24th of March, 24th of June, & y^{e} 24th of September, that soe in the Soundings & y^{e} Mouth of y^{e} Channell hee will have certaine Convoyes to conduct such as are bound up y^{e} Channell to their respective Portes; To the end therefore, these his Mã^{tyes} Commaunds & Directions may bee punctually observ'd, These are to give Notice to all Masters of Vessells whatever; That they truly & punctually observe those Seasons specifyed by his Mã^{tyes}, unless on some extraordinary Immergencyes about w^{ch} they shall bee expressly sent on y^{e} Publick Service, by Governo^{rs} who have Lycence to employ them by Authorizing them wth their respective Passes for the same. Care is likewise to bee taken by all Masters under his Mã^{tyes} Subjection (by giveing in Bond) That is on their way they meet wth any Vessells belonging to his Ma^{tye} or his Allyes that they endeavour to keep Company & Consortship together, that soe they may bee in y^{e} better Condition to oppose an Enemy & defend each other; That therefore these his Mã^{tyes} most gratious Commaunds & Directions may bee more punctually observ'd, I have thought good to make a Publique Notificacõn of them, & to affix them in y^{e} Custome-House, to the end any concern'd may not pretend Ignorance.

Given under my Hand y^e 27^th day of June, in y^e 24^th yeare of his Mat^yes most happy Reigne, Annoq̃ Domini 1672. G. E. 4:146 (NYSL)

[Francis Lovelace.] 1672 June 27

No. LXXV.

NEW YORK CITY — REPAIR OF FORT JAMES AND WAR RUMORS.

Łre. from y^e Governo^r to Cap^t Young & the rest of y^e Commission^rs at y^e East end of Long Island, about sending Assistance to fortify &c: G. E. 4:139 (NYSL)

Gent.

Haveing lately receiv'd a Lett^r from his Mat^ie by the way of Boston, wherein hee precautions us (by reason of y^e Troubles w^ch are like to arise in Europe to prepare, & putt our Selves into y^e best posture of Defence wee are capable of; I thought good therefore to acquaint you w^th it, that soe at y^e Sessions you might consider w^th y^e Countrey what will bee most necessary to bee practiz'd in order to yo^r Security; The Determinac̃on I should bee gladd to receive by y^e Returne of the High-Sheriff, that soe I might y^e better bee able to assist you by my power. 1672 May 30

I am likewise to acquaint you of y^e necessary Resolutions I have of repayring the Walls of this fforte, w^th some stronger ffortifications then heretofore it was, & being altogether uncapable to performe such a worke by my Public Stock here, I have thought good to recommend our Condition to

G. E. 4:139 (NYSL)

1672 May 30

yo[rs] & y[e] Countrey's Consideracõn, to contrive & send such an Assistance as may (in some sort) bee helpfull to mee in that Vndertaking. You well know I have been very tender to press this Point to you; It being now the first I have desired of you in that kinde. Thus not doubting of yo[r] chearfull Concurrence w[th] mee in a Work w[ch] soe nearly concerns y[e] publick Safety, I take my Leave of you, & bidd you heartily Fare-well.

Yo[r] assured Friend to serve you
Fr: Lovelace.

Forte James y[e]
30[th] May. 1672.

G. E. 4:149 (NYSL)

[Lovelace to John Archer.]

Gent.

1672 June 28

His Ma[tyes] Commaunds, together w[th] a strong necessity to putt o[r] selves into such a posture of Defence, as may make us capable both to defend o[r] selves, & offend any publick Enemy to his Mã[tie], his R: H[s] has constreyned mee to have a recourse to yo[u], fo[r] assistance in repayring of y[e] fforte at N: Yorke; & haveing recomẽnded y[e] necessity to all the Inhabit[ts] under his R. H[s] Territoryes, who have soe sensibly receiv'd these my Desires that unanimously they have made a voluntary Contribucõn to carry on y[e] Worke, & have afforded mee w[th] a frank Supply; Now considering you are as yett but a tender Plant, soe that in Modesty I cannot expect soe large a Contribucõn from you, as from others, that are rooted to a better Thriveing then you are yet since yo[u] are esteemed a Member of y[e] whole Body, It will bee necessary that likewise you shew yo[r] forwardness to soe good & generall a Worke; assuring you that your Widdowes Mite shall bee accepted, & when ever it shall please God to enable mee, I shall in some

Measure recompence yo[u] In y[e] mean time I desire yo[u] G. E. 4:149 (NYSL)
will believe mee to bee

Yo[r] Loving Friend

Forte James y[e] Fr: Louelace. 1672 June 28
28[th] June.
1672.
To M[r] Jn[o] Archer, to bee
communicated to his Neighbo[rs]
& y[e] rest of y[e] Inhabitants in y[e]
Manno[r] of ffordham.

Lett[r] from y[e] Governo[r] to y[e] Mayo[r] & Aldermen about a Contribuc̃on from this City, to repayring y[e] Forte. G. E. 4:156 (NYSL)

M[r] Mayo[r] and you y[e] rest of y[e] Aldermen.

His Ma[tyes] Paternall Advice & Princely Commaunds being transmitted to mee, wherein hee admonisheth us by y[e] great Resolutions w[ch] are now likely to happen in Europe, to putt our selves into such a posture of Defence as may best secure his Mã[ties] Interest, his Royall Highness Title & Authority in these his Dominions, & our own particular Lives & Proprietyes from y[e] usurpac̃on of any others that might appeare y[e] Disturbers or Invaders on y[e] just Rights of either, and findeing that by a long Tract of peace and Tranquility of time y[e] fforte of New Yorke requires not only a Reparac̃on but in some measure a new Re-edification; To y[e] Accomplishmen[t] of which (it being totally out of my slender Ability to perfect) I have been constrayn'd to have Recourse to all Loyall & well disposed Persons w[th]in these his R: H[s] Territoryes for their voluntary Contribuc̃ons, to assist mee in y[e] carrying on that worke, w[ch] otherwise would bee impossible for mee to accomplish; And Gentlemen I will assure you 1672 July 3

G. E. 4:156 (NYSL)

1672 July 3

(y^e^ Returnes being transmitted to mee from their respective Townes) there appeared soe great a Chearfullness in y^e^ Generality & soe franck a Contribution in some particular, as farr exceeded my Expectac̃on, & perhaps some of their Abilityes. There remaines now noe more to y^e^ Accomplishm^t^ of y^e^ End desired & designed, but that you who are esteemed y^e^ Head of this Body keep a proportionable Harmony w^th^ y^e^ rest of y^e^ Members in a liberall & voluntary Contribuc̃on for the strengthning that Place, wherein y^e^ Security of y^e^ whole is soe nearly concern'd. Now by what Method you will pforme it I shall leave to yo^r^ grave & Judicious Determinac̃ons; only assuring you your Care & Bounty therein shall not altogether fall to y^e^ Ground unregarded; but if it ever please God to afford mee an opportunity of a kinde Retalliation (in y^e^ gratifying of you in anything that may bee advantagious to y^e^ Corporation) I shall most gladly embrace y^e^ Occasion; & in y^e^ meane time I shall soe transmitt it on Record as what I leave unhappily imperfect may notwithstanding still bee convincing Arguments to induce my Successo^rs^ to a reciprocall Gratification of you; Thus recom̃ending y^e^ Premisses to yo^r^ ingenuous Considerac̃on, I bidd you all heartily Farewell, & remaine

Yo^r^ assured Loving Friend.
Fran: Louelace.

Forte James in N: Yorke.
July y^e^ 3^d^ 1672.

G. E. 4:160 (NYSL)

Commission given to M^r^ Thom: Lovelace, Cap^t^ Morris, Cap^t^ Manning &c: to collect y^e^ Contribuc̃on Money concerning the fforte &c:

1672 July 3

Whereas there is a great Necessity of y^e^ Reparac̃on of fforte James in New Yorke, the w^ch^ through length of time

G. E. 4:160 (NYSL)

1672 July 3

is very much fallen to Decay, & it being y^e^ chiefe place of strength within these his Royall Highness his Territoryes, It is requisite the Fortifications should bee made up & maintayned, more especially at this juncture of time, when his Mã:^tie^ hath been pleased to Advertize his Subjects in these parts, That they should putt themselves into a Posture of Defence, in regard of the Commotions like to arise in Europe, which may also reach us here; And the Resolucon together w^th^ y^e^ Necessity & great Charge hereof haveing been recommended by mee unto y^e^ Courts of Sessions of y^e^ severall Rideings of Long Island, as also to this City, who out of a franck & voluntary Benevolence have subscribed & consented to pay y^e^ severall Sumes of Money or Vallue in y^e^ Returnes of y^e^ respective Townes, as well as of particular Persons sett forth; To y^e^ end y^e^ said Contribucon may the better bee collected & converted to y^e^ best Advantage, to make payment & satisfaction for y^e^ Materialls as also y^e^ Wages that shall become due to y^e^ Labourers and Workmen employed therein, I have thought fitt by and with y^e^ Advice of my Councell, to nominate, constitute, & appoint, and by these p^r^sents doe hereby Nominate, Constitute & Appoint Thomas Lovelace Esq^r^ Cap^t^ Richard Morris, Cap^t^ Jn^o^ Manning, M^r^ Allard Anthony, M^r^ Thomas Gybbs, and M^r^ ffrancis Rombout to bee Comn^rs^ to take Charge and Care of y^e^ collecting y^e^ said Benevolence & Contribution as it shall come due, & to dispose thereof when received according to such Directions & Instructions as from time to time they shall receive from mee. And y^e^ said Com:^nrs^ or any three of them (which shall bee adjudged a competent Number to Act herein) are hereby Ordered & Empowered to meet once or twice a week as they shall see Cause, at y^e^ Statehouse of this City, to putt Matters into a Method, for y^e^ best advantage of the Stock w^ch^ is to bee received and

G. E. 4:160 (NYSL) disposed of by them, for the use & worke aforesaid; Of all w^ch they are from time to time to render mee an Acco^t And for what they or any three of them shall lawfully Act or Doe in prosecution of this my Comission, These p^rsents shall bee to them or every of them a sufficient Warrant & Discharge. Given under my Hand, & Sealed w^th y^e Seale of the Province this 3^d day of July in y^e 24^th yeare of his Mā^tyes Reigne Annoq3 Domini 1672.

1672 June 3

[Francis Lovelace.]

Col. MSS. 22:130 (NYSL)

[Contributions for Repair of Fort James.]

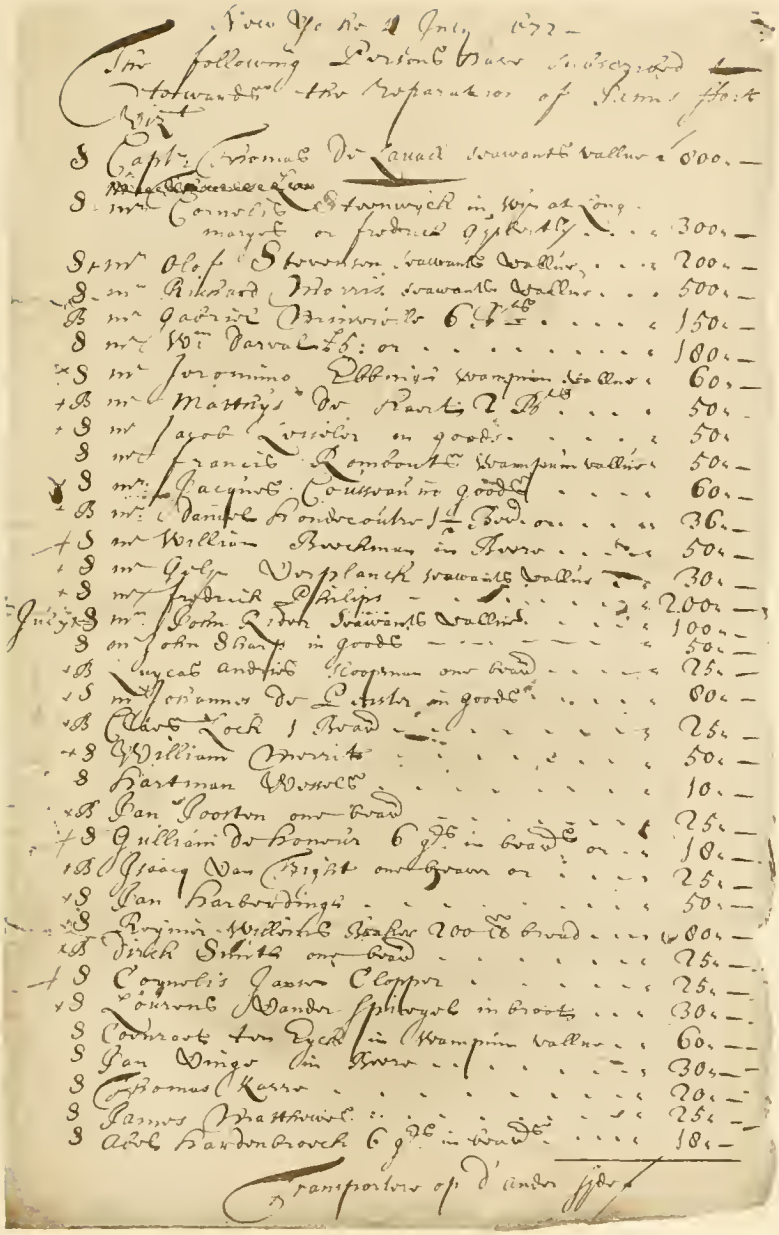
New Yorke 4 July 1672 —

1672 July 4-26 The following Persons have subscribed towards the reparation of James ffort Viz^t:

S [1]	Capt^n Thomas De Lauall seawants value...	f800//—
S	M^r Cornelis Steenwyck in Wyn at Long Maryes or fredrick Gysberts.....	300//—
S	M^r Olof Stevensen Seawants Vallue.....	200//—
S	M^r Richard Morris Seawants Vallue.....	500//—
B	M^r Gabriel Minvielle 6B^rs.....	150//—
S	M^r W^m Darval £5: or.....	180//—
S	M^r Jeronimo Ebbingh Wampum Vallue....	60//—
B	M^r Matthys de Haert 2 B^rs.....	50//—
S	M^r Jacob Leiseler in goods.....	50//—
S	M^r francis Rombouts Wampum Vallue.....	50//—
S	M^r: Jacques Cousseau in goods.....	60//—
B	M^r Daniel Hondecoutre 1½ Bev^r or.....	36//—
S	M^r William Beeckman in Beere.....	50//—

[1] S means seawant, B signifies beaver, and W denotes work.

Opposite p. 704.



FIRST PAGE OF SUBSCRIPTION LIST
FOR REPAIR OF FORT JAMES
NEW YORK CITY—July, 1672.

(Reduced from 12¾ by 8 inches.)

			Col. MSS.
S	Mr Gelyn Verplanck Seawants Vallue.....	30//—	22:130 (NYSL)
S	Mr fredrick Philips.....	200//—	*Cont.*
S	Mr John Rider Seawants Vallue.....	100//—	6 July
S	Mr John Sharp in goods.....	50//—	
B	Luycas Andries Sloopman one beavr.....	25//—	
S	Mr Johannes de Peister in goods.....	80//—	
B	Claes Lock 1 Beavr.....	25//—	
S	William Merrit.....	50//—	
S	Hartman Wessels.....	10//—	
B	Jan Joosten one beavr.....	25//—	
S	Gulliam De Honeur 6 grs in beavrs.....	18//—	
B	Isaacq Van Tright one beaver or.....	25//—	
S	Jan Harberdingh.....	50//—	
S	Reynier Willems Baaker 200 ℔s bread.....	80//—	
B	Dirck Smith one beavr.....	25//—	
S	Cornelis Jansen Clopper.....	25//—	
S	Lourens Vander Spiegel in broot.....	30//—	
S	Coenraet ten Eyck in Wampum Vallue.....	60//—	
S	Jan Vinge in Beere.....	30//—	
S	Thomas Karre.....	20//—	
S	James Matthewes.....	25//—	
S	Abel Hardenbroeck 6 grs in beavrs.....	18//—	
	Transportere op d'ander syde	f	
	Pr Transport.....	f	
B	Cornelis Van Borsum 2 Brs Vallue.....	50//—	
B	Jonas Bartelsen one beavr.....	25//—	
B	Dirck Van Clyf one Beavr.....	25//—	
S	Doctr Henry Taylor.....	100//—	8 July

Col. MSS. 22: 130 (NYSL) *Cont.*

S	Jno Garland one barrel of beefe Vall at.....	80#	—
W	Jacques Croisson 2 dayes Worke.....	8#	—
S	Anthony de Milt in bread.....	20#	—
B	Gerrit Vullevever ½ Bever.....	10#	—
S	Nicholaes d' Baaker.....	12#	—
S	Evert duyckingh, the vallue of.....	15#	—
S	Jurian Blanck in goods.....	20#	—
S	Jan Keteltas the value of ½ Bev^{r}.....	10#	
S	Jan Roelofsen bootman the Vall of.....	12#	—
S	Wander Wessels hatter.....	8#	—
S	Boele Roelofs.....	18#	—
S	Elias provoost smith.....	15#	—
W	Poulus Turck een broeck te maeken vallued..	6#	—
S	Barnadus Hassing the Vallue of.....	12#	—
S	Peter Nys.....	30#	—
B	Thomas Lourens one beav^{r}.....	25#	—
S	Symon Romeyn in Corne.....	40#	—
B	Jan Scholten ½ Bever.....	10#	—
S	Balthaz Bayard vallue.....	20#	—
W	Albert bosch in Labour out of his shop.....	12#	—
S	Roelof Jansen Halfe a Mutton Vall.....	12#	—
S	Luycas Van Thienhoven.....	8#	—
S	David Provoost.....	6#	—
B	Hendrick Droogstraet 2 raccoons Vall.....	5#	—
S	Daniel Setton.....	40#	—
S	Gerrit Hendrickx Slaught^{r} ½ a mutton vall...	12#	—
S	Jan Van Brestede.....	25#	—
S	Andries Jochems.....	10#	—
W:	Gerrit Roos one day Carpent^{rs} Labour.....	7#	—
S	Jan Bosh tayler.....	5#	—
S	Isaacq Van Vleecq 50 ll flower Vall.....	18#	—
B	Poulus Richart one beav^{r} or.....	25#	—
B	Jacob Vande Water one beav^{r}.....	25#	—

S	Thomas Taylor	20#	Col. MSS. 22:130 (NYSL) *Cont.*
S	Lourens de Smit in Country pay	6#—	
S	John Nelson in goods by M^r derval	20#—	
	Carried ouer	f	

	Brought over	f
B	Peter de Riemer one beav^r	25#—
S	Nicolaes de Laplayne	12#—
S	Roger Purchaze	25#—
S	Jan Hendricx Van bommel in goods	10#—
S	Andries Claes Carpent^r	8#—
S	Cornelis Pluvier 50 ℔ dry bread	20#—
S	Jan Adams one schepple Wheat	6#—
S	Symon barents in goods	12#—
S	Herry Brazier	20#—
S	William Waldron 2 barrels or	10#—
B	Jan Dircksen Meijer one beav^r	25#—
S	Pieter Jacobs Marius	50#—
B	fredrick Arents Torner in bev^rs f4—or	12#—
S	William White	10#—
W	Pieter Simkans the makeing of a Coat Vall	12#—
S	Harmen Smeman 4 tunn of Lime	8# —
W	Willem Van Vredenburgh the making of a paire britch	6#—
S	Jacob Teunissen Kaay by an assignm̃^t	50#—
S	Thomas Berryman	30#—
S	Pieter Jansen Mesier 4 tuñ Lime	8#—
B	Stephen Van Cortlant one beav^r	25#—
S	William Errewin	25#—
S	Hendrick Jans backer as p^r bill of paines [?]	30#—
S	Adolf Pieters	20#—

Col. MSS. 22:130 (NYSL) *Cont.*

	S	Anthony Jans Van Sale	6ℓ—
	S	Benjamin Provoost Cooper 2 barrels	10ℓ—
	S	Jan van Gelder	12ℓ—
	W	John Cooly in Work out his Shop f60 or	30ℓ—
	S	Peter Stoutenburgh in goods	15ℓ—
	B	Jacob Mens ½ beav[r]	10ℓ—
	S	Jan Spiegelaer the Vallue of	10ℓ—
	S	Evert Wesse[l]s Kuyper	20ℓ—
	S	fredrick Gysberts 5 cans of Wyn	25ℓ—
	S	Jacob Abrams shoemaker	16ℓ—
	S	Timoteus Gabrie in handen van Swert olpherts	25ℓ—
	S	Jacob Kipp 2 tonne Bier	60ℓ—
	S	Thomas Gibbs the vallue of	80ℓ—
	S	Nicolaes Dupuie 2 busshels Indian Corne	8ℓ—
	B	Augustyn Blyenbergh one beav[r] or	25ℓ—
		Carried ouer	f

		Brought ouer	f
	S	Abram Verplanck 4 scheppels Rye	16ℓ—
	W	Isaacq Kip one day Labour	4ℓ—
	B	Henry Coustrie 2 halfe beav[rs]	20ℓ—
	S	Abram Jans 3 schipples peaze	12ℓ—
	W	Abram Mol one day Carpent[rs] worke	7ℓ—
	S	fredrick Hendricx de boogh in goods	6ℓ—
	S	Claes bordingh	50ℓ—
	S	Hendrick bosh in goods	20ℓ—
12en Julij		asser Leuy the value of one beauer	25:—
		Thomas karr	20:—
		egbert meyndertsen	6:—
26en julij		david wessels	15:—
		marten meijer de Smit	12:—

cornelis Jansz de visscher	6:—	Col. MSS. 22:130 (NYSL) Cont.
carsten Liersen	32:—	
jan poppen jan cornelisz	24:—	
wessel wessels ten broeck	20:—	
Jacob Leunen	9:—	
Cornelis barentsz coordwener [?]	23:14	
[barssen Slecht ?]	18:—	
adam onchelback	8 [?]	
Thomas Lewis	f2 —	
Capt John berry	f150:—	
philip Johns een beuer	f 25:—	
Jacob Swart by pieter nijs .2. Schepel [ertten ?]	f 8:—	

Endorsed:

New Yorks Contribucon.
July .4. 1672.

Instructions for ye Commissrs appointed to have Inspection for the Regulation of ye Fortification of James Forte. Col. MSS. 22:134 (NYSL)

1672 July 11

1 When You are all mett together at ye Place appointed in yor Commission, You are first to pitch on a Charye-man, who shall preside as President of ye Commissioners, whose Name shall be affixt to all Letters you shall have Occasion to write, Warrants, or any other Writeing that shall bee requisite.

2 You are likewise to chuse some young Man to bee yor Clerke to Record fairely what shall bee transacted by you.

3 You are likewise to call for all ye Subscriptions of the Voluntary Contributions, that have been presented either

Col. MSS. 22: 134 (NYSL) from all the Townes in Generall, or any particular Person, w^ch^ Subscriptions M^r^ Mayo^r^ shall deliver to yo^r^ Custody.

1672 July 11 4 You are to take an Acco^t^ of all y^e^ Workmen that are employ'd, together w^th^ y^e^ vallue of their Wages, which shall bee delivered to you by my brother Dudley Louelace, as likewise y^e^ Defaulters, which weekly or oftner shall bee represented to you, and to keep a Booke of them, that noe idle Person bee obtruded on you.

You are to appoint a Treasurer who shall keep all y^e^ Goods that are contributed, & to issue out Payment when Occasion shall serve, to whom a moderate Allowance may bee made for his Care & Trouble.

You are to examine all Bills of Mechanicks, as Smyths, Wheel-Wrights, Carpenters, Carr-men, Boatmen &c; & to Examine them on Oath; w^ch^ Oath I hereby give you full Authority to Administer; To the end noe ffraud be committed in their Dealings.

And Lastly, You are to take into yo^r^ Consideracõn all things that may best tend to y^e^ carrying on of the Worke, though not particularly [s]p[eci]fyed [in your] Instructions, and to represent it (in case of Difficulty) to mee, that soe a finall Determinacõn may bee made to y^e^ Advancement of the End designed.

Given under my Hand at Forte James in New Yorke y^e^ 11^th^ day of July in y^e^ 24^th^ yeare of his Mã^ties^ Reigne, Annoqꝭ Domini 1672.

[*Signed*] Francis Louelace

Endorsed:

The Coñission^rs^ In-
structions about y^e^
Fortificacõns.
July 11. 1672[1]

[1] This is the original document signed by Lovelace, The engrossed copy is in *General Entries*, vol. 4, p. 165. No material variations appear.

Łre from y^e^ Governo^r^ to y^e^ Schout & Comissaryes at Albany. G. E. 4: 168 (NYSL)

Gentlemen.

The Newes of y^e^ great Revolutions in Europe is by this time soe well known to you, that I shall spare a Repetition; by it you must needs bee awakened to provide for your mutuall safety, to w^ch^ there shall bee nothing wanting in mee that may add to yo^r^ Security to y^e^ utmost of my Ability; To w^ch^ end I have desired Cap^t^ Delavall w^th^ y^e^ rest of y^e^ Councell (now w^th^ you) to examine & advertize mee in what State you stand. They can assure you of the great preparacons I am makeing here, as likewise of the chearfull & hearty Concurrence both of the City and Countrey to assist mee by a voluntary Contribucon to carry on the Worke. I can in noe wayes doubt but to a Worke soe gratefull to his Mā^tie^, his Royall Highness, our gracious Protector & Proprieto^r^ you will cast in your Mite. You may remember how willing y^e^ Inhabitants of these parts were (when p^r^sent w^th^ you, & a Danger seem'd to threaten you) to lend you their assisting hand. I hope you will not now bee backward to them in the like Retalliation; assuring you withall, yo^r^ forwardness herein shall not altogether fall to y^e^ Ground; but when ever it shall lye in my power to gratify you by any lawfull demaunds for the Advantages of yo^r^ Place, I shall most readily comply w^th^ it. In y^e^ mean time I shall transmitt yo^r^ hearty Concurrence to his Royall H^s^ our great Patron & Protector, who as I know will bee much pleas'd to finde soe great a readyness in you, soe likewise you may expect from him all y^e^ Grace & ffavour to further yo^r^ Prosperity by a carefull & fatherly Protection of you; And withall I must acknowledge it a kinde Service to

Yo^r^ affec̄^ate^ Friend.

Fr: Louelace [July 1672][1]

[1] Undated in the recorded copy, but from its position in the volume evidently belongs between July 16 and 18, 1672.

No. LXXVI.

CORRESPONDENCE BETWEEN LOVELACE AND LEVERETT.

G. E. 4: 121 (NYSL)

A Lett^r to Major Gen^rll Leverett at Boston.

S^r

1672 Apr. 23

It was neither out of Vanity nor Pride, that hitherto I have not had a Close Correspondence w^th you; for believing it a receiv'd Practice that when any Stranger enters himselfe into a Neighbourhood, y^e p^rsent Inhabitants (by y^e rules of Vrbanity) ought to Congratulate his Reception, This being unfortunatly omitted by you I could not expose the Dignity of my Royall Mast^rs Interest, whose Substitute (by his great Indulgence & ffavo^r I am) to any cheap Rate; However passing by all former Mistakes, & since y^e vicinity of y^e Place, & mutuall Interest may teach us a more substantiall Benefitt, then ayery Complem^ts I shall bee very gladd to embrace y^e opportunity whenever fayrly rep^rsented to mee; It is possible I may fall under yo^r hard Censure in y^e Prohibic̃on of Wheate in Grayne, but it being universall (not respecting Persons) & y^e great Vtility wee receive by it, may bee satisfactory without further Arguments too long here to recite; All that I drive at is, that his Mā^ties Interest the Glory & Hono^r of our Nation (now in these portending boysterous times) may entirely bee p^rserved, to w^ch end the best expedient is a mutuall Vnderstanding of our nearest Allyes, w^ch if you believe your selfe soe, with us I doubt not but time and a happy Opportunity may demonstrate that these (almost unknown parts of y^e World) will bee able

to mainfest, though wee are divided from our native Soyle by Distance, yett not by Publick Interest and Loyalty; I have now noe more but to assure you I am with all respect. G. E. 4:121 (NYSL)

Yo^r affe^c^ate Friend & Servant 1672 Apr. 23
Fran: Louelace.

S^r

There are some Souldyers lately runn away from their Colo^rs from mee, if you meet w^th any it will bee a great Service to his Ma^ties Interest to returne them, & I will defray all Expences, & w^thall esteem it a singular ffriendship to mee.

Aprill y^e 23^d 1672.

An Answer from Majo^r Ge^n^rll Leverett to a Letter sent him from y^e Governo^r of N: Yorke bearing Date April y^e 23^d. 1672. G. E. 4:157 (NYSL)

Boston May y^e 9^th. Anno. 1672.

S^r

Yo^rs by M^r Sharp of y^e 23^th April came to hand y^e 29^th day, thereby y^e first occasion offered unto mee to assume y^e Boldness to enter into this way of Correspondence w^th yo^u, not knowing but your beliefe may hold amongst Equalls, circumstanced sutably for Time & place, of w^ch Number should I vallue myselfe, you might justly accompt mee worse, then Ayery,[1] whilest the Omission of that you count soe could not bee any tempation to you to prostitute his Ma^tyes Interest under your Betrustment to any cheape Rate, I hope I shall never give you any just Cause to blame mee for back- 1672 May 9

[1] An archaic form of airy and aery.

G. E. 4:157 (NYSL)

1672 May 9

wardness in embracing any Opportunity offered for my Acting to Publick Benefitt, & less to suspect mee for being busy in enquiring into y^e^ Motions of any publique Instrument, least of all to bee censuring of them; Ever bearing it with mee as my great Concernment, to bee ready & able to give Acco^t^ of my selfe, & may I bee helped in my private & more publique Capacity soe to carry it, that I may render my Acco^t^ w^th^ Joy unto y^e^ Lord whose Barr there's noe avoiding; To mee it will bee sufficient in attending to y^e^ way thereof; I'me sure there can bee noe ffaylor in preserving entire in his Mã^tyes^ Interest, & the Nations Hono^r^ bee y^e^ times never soe boysterous; & by y^e^ Grace of God I desire and shall endeavour to bee found most nearly allyed to those that feare God, Hono^r^ y^e^ King, Love y^e^ Brotherhood; & in that may bee ready to doe Good unto all Men, that thereby I may keep close to Publique Interest & true Loyalty. Yo^r^ Hono^r^ intimating that some of yo^r^ Souldyers had left their Colo^rs^, not nameing them I enquired of M^r^ Sharpe their Names, & told him (if he could give them to mee) I would secure them, if they were to bee found amongst us, & send them to you according to yo^r^ Desire, who since informed mee that hee had learnt their Names, & that they had shipt themselves w^th^ one M^r^ Thomas Genno^r^ Commander of a Ship that is gone to Long Island to take in Oyle, & soe bound for London. Thus presenting my humble Service to yo^r^ Hono^r^ I commend You to y^e^ Protection of God, assuring you that I am.

Yo^r^ ready & affec̃^ate^ Servant

Jn^o^ Leverett.

No. LXXVII.

NEW JERSEY REBELLION—LOVELACE AND CAPTAIN JAMES CARTERET.

Lett^r from y^e Governo^r & Councell to Cap^t James Carterett as an Interposic̃on for a renewed ffriendship betwixt him & Cap^t Philip Carterett &c: G. E. 4:142 (NYSL)

S^r

The Governo^r haveing lately receiv'd a Lett^r from his Mã^tie Dated y^e 10^th of March 167½ who out of a Paternall & Princely Regard to y^e safety of these his Dominions in America, admonishes us (by the great Revolutions that are now likely to happen in Christendom) that wee might timely provide against y^e Com̃on Enemyes of his Mã^ties Just Rights and y^e true Interests of y^e particular Proprieto^rs to whom his Mã^tie has most graciously transferr'd over his Clayme of any of these his Territoryes of Colonyes on this Continent of America, by a more strict Vnion of our selves together, whereby wee may bee the better able to assist each other as Occasion or Exigence should require; And haveing taken notice of late that our next Neighbour Governour, Cap^t Philip Carterett with whom hitherto wee have had a friendly & Amicable Correspondence, is now in a manner extruded from freely Exercizing that Authority, by w^ch hee was commissioned to Rule and Governe those committed to his Charge & trust, & y^e Legislative Power now exerciz'd by others; To the end his Mã^ties gracious Advice & Commands may bee loyally & Solemnly observ'd, It will bee necessary that a true Vnderstanding bee known by what means this suddaine Mutation is made, that soe wee may not bee to 1672 June 11

G. E. 4:142 (NYSL)

1672 June 11

seek to whom legally to apply our selves to, if ever any Immergencyes should call on us conformable to his Mãties most Gracious Will & Pleasure; Allwayes professing where the just Authority does reside to bee willing & ready on all lawfull Occasions to bee soe serviceable to them, as wee desire ye like from others, if need should require. Neither have wee occasion to feare, that those unhappy Breaches wch have happ'ned amongst you, bee altogether soe desperate and uncurable, but that by ye Interposition of moderate & unbyasst persons to either Party, such a Composure may bee propos'd, as may satisfy all Interest, but those that delight in Nothing soe much as in Dissention.

Sr if these amicable Proposicons of ours bee but hark'ned to (& by the Blessing of Almighty God) take that Effect wee cordially wish in ye Peace & Tranquility of you our nearest Neighbors Wee shall have cause to bless God in makeing us ye happy Instruments to soe worthy a Worke; But if it fall out contrary to our profest Desires (which God forbid) yet wee shall acquitt our selves to all the World of the entire Syncerity wee have us'd to heale those Wounds wch (perhaps) the Enemyes to his Mãtie & Lord Proprietors would bee gladd to see fester into a Gangreen, & soe become incurable.

Sr Wee heartily desire you to take these our Reflections into yor serious Consideracon, & to believe noe sinister end whatever doth prompt us to this Interposition, but it being a Christian Charitable Worke acceptable (wee believe) to God, who is a God of Order, to ye Loyalty & Duty wee owe his sacred Mãtie, & that Comon Charity wee desire may bee paid to each other, by endeavouring to prserve a Vnity of Spiritt in ye Bond of Peace.

Thus recomending these our Reflections into your candid & ingenuous Acceptacon wee heartily take Leave of you,

desireing you to send an Answr in Writeing by this Gentleman ye Bearer Capt Dudley Lovelace, who will deliver this to your Hands. G. E. 4:142 (NYSL)

By Ordr of ye Governor and Councell. 1672 June 11

Fort James in New Yorke ye 11th day of June 1672.

Capt James Carterett his Answr to ye above written Lettr G. E. 4:143 (NYSL)

Right Honble Sr

&

Worthy Gentlemen.

I received yors per ye hands of Capt Dudley Lovelace Dated ye 11th of this Instant. 1672 June 14 The Contents I have perused, & part of them doe finde meriting all Loving Acceptance & kinde Entertainmt; assureing you that I doe fully concurr & acquiess wth you in respect to any friendly Association, whereby wee may bee made more capable to signify ye Integrity & Sincerity in serving his sacred Matie in his Concernes either here or elswhere, & when Occasion doth present my selfe & ye Inhabitants here shall readyly & chearfully manifest the same according to his Mãties Gracious Advice & Comands in whatsoever wee are or may be found capable; wch I hope & desire may Satisfy you or any others, who are dubious whom to apply themselves unto; if ever any Immergencyes should call on them; ffor you may please to believe That in what is, or may bee proper to us wee shall shew ye like willingness to assist you against any of his Mãties Comon Enemyes; But wch will afford you ye less Encouragemt, & wee indeed are ashamed to divulge, our Inhabitants are in a raw & undisciplined Condition, brought thereunto by Capt Philip Carterett, who differing from all Martiall

G. E. 4:143 (NYSL) 1672 June 14

Men that ever I knew in the World, hath for severall yeares past threatned & forbidden our People upon paine of Death not to Exercize themselves in Military Affayres or Discipline; w^ch^ together w^th^ other Gross Miscarriages of his, contrary to our Concessions, & contrary to his own Commission hath formerly (in his time of Governm^t^) unjustly dissatisfyed, disturbed, & impoverisht the Kings Subjects in this Province; And if then you or others who pretend such amicable ffriendship & Correspondence w^th^ him, had been pleas'd to advise & Councell him better, It might have been better for him then at this time. What you mean by Reflections, is above my minor & feeble Capacity to apprehend; And as I favourably conjecture they are as inexpedient to promove & encrease Love & Peace, as Interpositions are to heale unhappy Breaches; of w^ch^ (by the Blessing of God) wee are freed of late, & doe enjoy very much Tranquility amongst our Selves to our great Satisfaction; yett possibly not wholly exempt from turbulent, Jehu, & Ishmaelite Spirits as appeareth in all Ages, Provinces, & Jurisdictions, together with the old pernitious Sect of Tale-Bearers, w^ch^ the Wise-Man speaks of; And I wish that you & I may take that juditious & divine Advice of his; *Proverbs* y^e^ 20^th^ & 19 Ver: & y^e^ 17^th^ & 15^th^ ver.

S^rs^ In respect to y^e^ Differences or Breaches that have hap'ned between Cap^t^ Carterett & my selfe, there is (as you say) noe occasion to despaire, but they will in time bee healed or cured by the Hoñ^ble^ Lords Proprieto^rs^ unto whom they are already p^r^sented & referred, as to y^e^ most ample & compitent Judges in those Matt^rs^; And I doubt not but yo^r^ selves will graunt them to bee moderate & unbyassed Persons on either side; And if soe, then most requisite that they should receive that Acco^t^ w^ch^ is rendred to them; the same which I suppose you mean by a suddaine Mutation here;

G. E. 4:143 (NYSL)

1672 June 14

A true understanding whereof is as much unnecessary to bee declared to unconcerned Persons, as by what Authority I act & transact Affayres here in this Government, a thing w^ch^ I have never sought to pry into in other Governments; and why any Acco^t^ thereof should bee required or expected by you as a Councell I know noe Reason, seeing that I am not under Obligac̃on to render the same to any but to his Mã:^tie^ & my Superiours the Lords Proprieto:^rs^, by whose Ord:^rs^ & Instructions I act, & shall in an orderly, meek, & peaceable way endeavour to suppress such who doe most falsely without either Shew or Colour of Truth repute mee a Disturber of y^e^ Countrey, like unworthy Persons as they are; who some I have accused of speaking treasonable words against his Mã:^tie^ the King, & under y^e^ Guilt of y^e^ Breach of their Oath of ffidelity to y^e^ Lords Proprieto:^rs^ & have fatally ruined their Interest here, & y^e^ poore Inhabitants of their Province in a great Measure. These have very lately published mee by their Writts a Rebell & Mutineer, who am Proprieto:^r^ of my ffathers Interest in this Province; They are likewise great Disturb:^rs^ of our Peace, they and only they, & doe frequently, arrogantly & falsly Declare in New Yorke that I have done it, because I have taken a Legall Course to putt a Stopp to their unjust, & unrighteous Proceedings, greatly dishonor^able^ to God, his Mã^tie^ y^e^ King, & y^e^ Lords Proprieto:^rs^; All w^ch^ I can sufficiently prove & make appeare to y^e^ Damage & shame of the aforesaid Persons, countenanced, encouraged, & believed by some in New Yorke; which I take unkindely; And if God spare life, I will give his Royall Highness an Accomp^t^ of them by the first, & after second it myselfe by a Verball Declarac̃on how I am used in his Territoryes, as also who they bee that have appeared like Enemyes to King & Countrey, & perhaps (as you say) would gladly see Wounds fester into a Gangreen,

G. E. 4: 143 (NYSL) & soe become incurable; which God forbidd, & grant that I may bee by all Lawfull & just Endeavo[rs] an Instrum[t] to p[r]serve Vnity in the Bonds of Peace; A thing w[ch] I can appeale to God (w[th] a Conscience unblameable) & acquitt my selfe before all the World, I never did obstruct in any unrighteous or illegal Way; And it is my hearty and unfeigned Desire to live in all amicable Correspondence & Tranquility with you and all Men. Soe you shall ever finde mee

1672 June 14

Your ready Friend
James Carterett.

Elizabeth Towne in New Jersey
June y[e] 14[th]. 1672.

G. E. 4: 207 (NYSL)

Lett[r] from y[e] Governo[r] to Cap[t] James Carterett of New Jersey. Sep: 18. 1672.

S[r]

1672 Sept. 18 I receiv'd yo[r] Lett[r] by y[e] hands of M[r] Jones; y[e] Contents were a Narrative of what had past between one of yo[r] Magistrates & my Marshall; I must confess I have heard something of that Story though imperfectly; neither did I give too much Creditt to his Relation, finding him to bee too much transported, w[ch] I can attribute to noe other reason, then what hee averrs, his hard Treatm[t]; Tis true, I employ'd him to forewarne all persons (that had not that common Civility in them to desire Liberty of mee,) to cutt & carry away Hay from Staten Island without my Approbac̃on; but it seems M[r] Hopkins (whether in contempt or Derision) p[r]sum'd to make an Essay, whither the Propriety belong'd to his Royall Highness, or y[e] Lord Proprieto[rs], & as my Servant averrs, when that was y[e] Dispute, hee was soe confident as to decide it theirs (for that was the Terme) And upon that Conclusion perhaps us'd him more vigor-

ously then some undecent Reply of my Servant might meritt. G. E. 4: 207 (NYSL)

Sr I hope there will not bee an Occasion of a Controversy of the Title of that Place after 8 yeares possession, together with a lawfull Purchase of the Natives, & not the least Contradiction from ye Lord Proprietors; but if any pragmatick Person, out of any Officiousness or sinister Ends of his own shall intermeddle in that Affayre, I shall assure him to maintaine my Royall Masters Interest to that Place, to the utmost of my Ability; Mr Jones brought another Letter but finding the Superscription to bee Mr Hopkins his Hand, Hand, with whom I never had any Correspondence (neither desire I any) I refus'd the Acceptacõn. I have noe more at present, but that I am 1672 Sept. 18

Yor humble Servant

N: Y: 18. Sep: 1672. Fr: Lovelace.

Łre to Capt James Carterett at ElizabethTowne in New Jersey. G. E. 4: 218 (NYSL)

Hond Sr

I received yor Łre of ye 12th of Octobr, wherein you seem to complaine of a barbarous & murtherous Act (as you are pleasd to name it) cõmitted on ye Body of yor Marshall, & at ye same time, I am sollicited by Mr La Preary, & ye Deputy Governor Capt Berry, who both are in the nature of Exiles, not daring to returne, the one to ye peaceable enjoyment of his Estate, purchas'd by his hard Labour & Industry, the other from Exercizing that Authority of Deputy Governor in the Dispensation of Justice, & ye preservacõn of the Publick Peace, according not only to ye Oath hee stands oblig'd to, but likewise to that Trust lawfully invested in him by ye Governor Capt Philip Carterett. 1672 Oct. 13

[46]

G. E. 4:218 (NYSL)

1672 Oct. 13

What to doe in this Case, & to satisfy two different Opponents might puzzle a greater States man than I p^r^tend to determine; Yet when I reflect on y^e^ Answ^r^ you were pleas'd to returne to that Lett^r^ of ours, wherein (mov'd out of tender sence of the Inconveniencyes & mischiefs which were dayly growing to y^e^ hazard of y^e^ effusion of Christian Blood, w^ch^ since has hapned, & wee having noe other Ayme then the peace & tranquillity of you our Neighbo^rs^ consonant to y^e^ Commands of his Sacred M^ã^^tie^, who enjoyn'd all Neighbouring Colonyes to enter into a strict Association w^th^ each other, that then (I say) you were pleasd to have soe little regard to those our kinde & friendly Proff^rs^, as in returne of an acknowledgm^t^ of those Sentim^ts^ of ours, you wonderd wee should concerne our Selves in y^e^ Affayres of yo^r^ Governm^t^ since you never sought it in ours; If S^r^ you continue in those resolutions still, you have then answerd yo^r^ selfe; Neither doe I intend for y^e^ future to concerne my selfe w^th^ you in any Publick Affayre, unless you undeceive mee by shewing mee a sufficient Deputac̃on from the L^ds^ Proprieto^rs^ to act as a Governo^r^ w^th^out w^ch^ I cannot safely adhere to you as a Publique Minist^r^ but abstracted from that As you have had y^e^ large Experience of my Civility towards you, Soe (keeping within that Circle) you shall allwayes finde mee ready to acknowledge you as I desire to bee by you

Oct^r^ 13 1672. Yo^r^ affectiõn^te^ Friend

Fr: Louelace

I had forgott to acquaint yo^u^ that yo^r^ Prosecuto^rs^ attempted to enter on Staten Isl^d^ in Quest of M^r^ La Prery, where if they had found him were resolved to carry him away w^th^out my Leave. I shall desire for y^e^ future, you to refrayne that course, least you constreyne mee to fetch them back from you.

Lett^r to Cap^t James Carterett at Elizabeth Towne in New Jersey. Dated 22^th Octob: 1672. G. E. 4:224 (NYSL)

S^r

Before M^r Delavall resolv'd to shake hands with Albany for this Winter Season, hee was Determin'd to kiss yours, & I have perswaded M^r Steenwijck & M^r Nicolls to accompany him, to try if yet there were a possibility left by a faire & amicable Interposition to make up those Rents w^ch by y^e sufferings of some, & y^e Asperity of others (if not prevented) will grow past their skill to close; Neither can I dispaire but by this inconcern'd Interview (on their parts) but to hope for a good Issue, & the rather in regard M^r Melijn & Baker when parting last from mee returnd to you with great resolutions of propounding such Expedients for a Generall Accomodac̃on as might secure each Party (by severall Propositions & Conclusions thereon) both of their persons & fortunes, till the determinative Resolutions of the Lords Proprieto^rs might putt a period to all mistaken Distinctions on either side. S^r contrary to my once resolved Opinion of not troubling either you or my selfe more on this Subject, I have (upon y^e Address of very many of your Inhabitants) adventur'd to make this last Essay, w^ch I wish may prove effectuall, that soe when ever a Transmutation should succeed between my R: Master & the Lords Proprieto^rs, I might not present him instead of a peaceable & well dispos'd Territory (such as I hope to leave) & in Exchange of that a Land only replenisht with Bryars and Thornes; Thus heartily wishing you to make a serious reflection on all the evill consequences that necessarily must attend these Disorders, & by yo^r prudence & Moderation strive to prevent them, that not only the Proprieto^rs may bee assured of their indubitable Rights, but the Inhabit^ts of 1672 Oct. 22

G. E. 4:224 (NYSL) their Immunityes & ffreedoms, w^ch & w^ch alone is the Cordiall Wish of

S^r — Yo^r affec̃^ate Friend
Fr: Lovelace

1672 Oct. 22

Fort James Octob^r
y^e 22^d 1672.

Col. MSS. 22:144 (NYSL) [Charles II. to Captain John Berry and Council of New Jersey.]

Charles R.

1672 Dec. 9 Trusty & welbeloved, wee greete you well, having beene informed, that some turbulent & disaffected persons, Living & inhabiting within the Province of Cesarea or New Jersey, The propriety whereof wee have granted to our right Trusty well beloved Councello^rs John L^d Berkley of Stratton & s^r George Carteret Kn^t & Baronet, doe refuse to submitt & bee obedient to the authority derived from us to the s^d L^d Berckley & s^r George Carterett as absolute Proprieto^rs of the same, to the great prejudice of the s^d L^ds Proprieto^rs, the disturbance of the Inhabitants, & hindrances of the whole Plantac̃on there designed, Wee doe therefore hereby require you in our Name, strictly to charge & com̃and all persons whatsoever inhabiting within the s^d Province, forthwith to yield Obedience to the Lawes & Governm^t there settled & established by the s^d L^ds Proprieto^rs having the sole power under us, to settle and dispose of the s^d Countrey, upon such Termes & Condic̃ons, as they shall thinke fitt, And wee shall expect a ready Complyance, with this our Will & pleasure from all persons whatsoever dwelling or remaining within y^e fores^d Province, upon paine of incurring our high displeasure, & being proceeded ag^st w^th due severity according to Law, whereof you are to give

publick notice to all persons that are or may bee concerned & so wee bid you farewell Col. MSS. 22:144 (NYSL)

Given at our Co^rt at Whitehall the 9^th day of Decemb. 1672. In the 24^th yeare of our Raigne 1672 Dec. 9

By his Ma^ties Comand.
Henry Coventry.

To o^r trusty & well beloved
Cap^t John Berry Dep: Go: of
New Cesarea, or New Jersey in
America, & to his Councell there.

Copia vera, compared with the Originall.
James Bollen Secr.

No. LXXVIII.

PRUDENCE ISLAND — CONTROVERSY OVER JURISDICTION AND JOHN PAINE.

Commission for M^r Jn^o Paine Merch^t to bee Chiefe Governo^r of Prudence Island. G. E. 4:186 (NYSL)

Francis Lovelace Esq^r &c: Whereas I have by Patent granted & confirmed unto M^r Jn^o Paine Merch^t a certaine Island called Prudence Island, & y^e Government of the same as may appeare by the said Patent, Dated the 25^th day of July 1672. & also by another Instrum^t for confirmacon of the Priveledges & Directions or Instructions therew^th & thereunto granted, bearing Date y^e second day of this instant Month, both Sealed with y^e Seale of this Province; And having conceived a good Opinion of the fittness & 1672 Aug. 7

G. E. 4:186 (NYSL)

Capacity of the said John Paine to bee Governo^{r} &c: of the said Island to manage the Publick Affayres there, I have thought fitt to Nominate, Constitute, & Appoint, & by these

1672 Aug. 7

Presents doe Nominate, Constitute, & Appoint the said John Paine to bee Governo^{r} during his naturall Life, Hereby giving & granting unto y^{e} said John Paine my full power & absolute Authority amply to act in all things upon the said Island as Governo^{r} as aforesaid; In the managem^{t} of w^{ch} Employmen^{t} hee is to use his best Skill and Endeavour to preserve his Mã^{ties} peace, & to keep the Inhabitants in good Order: And all Persons are hereby required to yield to the said John Paine such respect and Obedience as belongs to a Person invested by Commission & Authority from his Royall Highness in the Office & Employment of a Governo^{r} & Chiefe Magistrate in the Island afores^{d} And hee the said John Paine is duely to observe & Obey such Directions & Instructions as are already given forth for the well Governing of the Place, or as shall bee requisite thereto hereafter; And for whatsoever the said John Paine shall lawfully Act or Doe in prosecution of the Premisses this my Commission shall be his sufficient Warrant & Discharge. Given under my Hand & Seale at Forte James in New Yorke this 7th day of August in y^{e} 24th yeare of his Mã^{ties} Reigne; Annoq$^{\text{p}}$ Dñi 1672.

[Francis Lovelace.]

Col. MSS. 22:138 (NYSL)

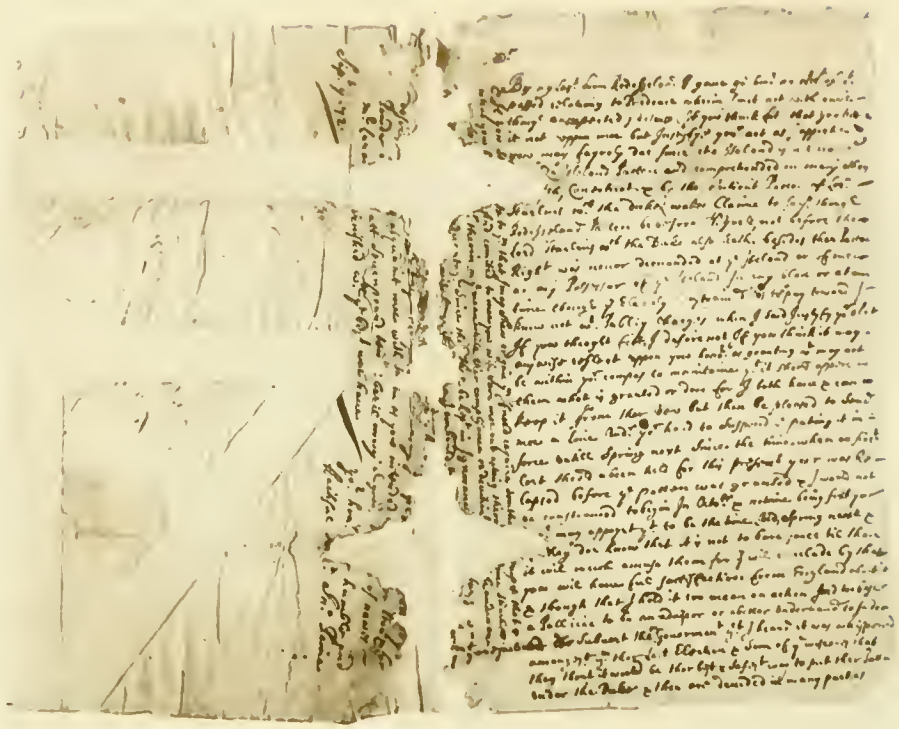
[John Paine to Lovelace.]

S^{r}

1672 Sept. 9

By my Las^{t} from Rode Iseland I gaue yo^{r} hono^{r} an Acc^{t} of w^{t} passed relateing to Prudence wherin I met not with anye thinge vnexpected I desire (If you think fit) that you turne it not vpon mee but Justyfye you^{r} act as I apprehend you may fayrely doe since the Iseland is not named

Opposite p. 726.



LETTER FROM JOHN PAINE TO GOVERNOR LOVELACE.

(Reduced from 12¼ by 15½ inches.)

Col. MSS. 22:138 (NYSL)

1672 Sept. 9

[in Ro]de Isleland Patten and comprehended in many others [of w]ch, Conecticot & by the Antient Patten of Lord Starlins wch the duke makes Claime to so yt though Rode Iseland Patten be before N. York, not before the Lord Starlins wch the Duke also hath, besides ther Patten Right was neuor demanded at ye Iseland or of mee or any Possessor of ye Iseland In any place or at ani time though yy Elegaly Constrained vs to pay toward I know not wt Publiq Charges, when I said Justyfy yor Act If you thought fitt, I desire not If you think it may anj wise reflect vppon you honor as granting wt may not be within yor compas to maintaine yt it shoold appere to them what is granted or don for I both haue & can keep it from ther vew, but then be pleased to Send mee a Line Vndr yor hand to Suspend ye puting it in force vntill Spring next Since the time when or first Cort shoold abeen held for this present yeer was Relapsed before ye Patten was granted & I woold not be constrained to begin In Octobr & no time being fixt yor [Hon]r may appoynt yt to be the time (Vid) Spring next & [if t]hey doe know that it is not to bare force til then it wil much amase them for yy wil conclude by that you will haue ful sattisfaction from England about it & though I hold it to mean an action And too base a Pollicie to be an aduiseor or abetter vnderhand to Indea[1] ym yt are jnclined to Subuert ther Gouermen yet I heard it was whispered amongest ym ther Last Election & Som of ye wiseones that they thout it woold be ther best & Safest way to put ther Patten vnder the Duke & they are deuided in many parties & If you Sh[ould wri]te to ym that I may Shew or giue ym If need require Somthi[ng of] purpose that what you [have under]stud comited to mee you wil bare mee out acting theri[n] [*mutilated*] [t]ime Shall [*mutilated*] to [*mutilated*]r therin in ye meanwhile ther com-

[1] Apparently "endear" is meant.

Col. MSS. 22:138 (NYSL)

1672 Sept. 9

plyance or deuition^{s} [shall be] [*mutilated*] aduantag^{e} Since they shal be kep^{t} in Ignorance [of the mat]tar you [*mutilated*] wil haue it [Sin]ce I am bould t[o] [*mutilated*] desir[e], [*mutilated*] Raise many [*mutilated*] ther way I [h]ope [*mutilated*] att[en]d y^{e} Powder [*mutilated*] acquaint mee with th[e]m as you intended [*mutilated*] or two & for m^{r} Lara [*mutilated*] att Seuen pound ten [y^{e}] baril monj al good, [*mutilated*] of newes [*mutilated*] [f]irnished wth y^{e} best wee haue

Yo^{r} hon^{rs} [very] humble and ffaithful ser[v]^{t}

Sep^{t} 9. 72. Jn^{o} Paine

Endorsed:

To the Righ^{t} hon^{rbl} Frances Lovelace
Esq^{r} Gov^{r} In Gen^{ll} of all his highnes
Teritories In America—
Thes

Col. MSS. 22:139 (NYSL)

[Paine's Report to Lovelace concerning his Trial.]

Jn^{o} Paine answ^{rs} not Guilty & referrs to y^{e} Court & Jury & Pleades.

1672 Oct. 29 and Nov. 4

Gen^{t} of y^{e} Jury you know y^{or} Place & duty, you attend to y^{e} Law & Evidence, You are y^{e} Subjects Preuiledge, his Maj^{ste} desires not y^{e} Extreamity of Law or euidence to be improued against (but all jus^{t} fauor to) his Loyall Subject. I am Indicte^{d} for takeing out a Patten, y^{t} I neuer did, nor is it in my power to doe, nor haue I been y^{e} p^{r}son to act Such a thing, nor is ther any Evidence y^{t} I haue Rec^{d} Such a thing as a Patten Or Co$\tilde{m}$ission but heresayd to Somthing relateing to So$\tilde{m}$e wrighting or Co$\tilde{m}$ission but how Limete^{d} to y^{e} time, or other Condicions no man Saw nor red Such a thing, but in Some part, as one Ses, Good Sweet, whome I woold he were here to cleer & Explaine himself. & no one

Col. MSS. 22:139 (NYSL)

1672 Oct. 29 and Nov. 4

Evidences, w^t this wrighting was from y^e authority of New York, that it had y^e Seal, or ani Confirmacion of y^t Goverm^t they besides, are Single Evidences; But were thes Evidences full & clear, as they are not, that I had (vppon demand of authority) by virtue of a Patten from his Maj^tie, makeing the first demand of mee, Rec^d or accept^d of a Patten, to Subject to y^e Kings authority this distinct Place & Iseland, no man Evidence, that I haue Subjected it, nor haue I don any act, nor is ther ani evidence y^t I haue, nor is y^r ani evidence y^t I haue in any measure or way Contemne^d authority. Nor was thee Claime of this Jurisdiction Ever made to mee till now, notwithstanding I constantly & all wayes refuseed to pay Rates, demanding by what authority It did appere y^t I was obligee^d therto. & for m^r Bostons Saying I desired him Exicution migh^t not proceed, I did only desire it might proceed then Vppon Som Estate migh^t apper of mine In the Towne, to Saue chargees of officers going over If y^t hee woold take it And to yo^r Law, which I neuor heard er now, touching any inhabitants Subjecting his Landes, I neuor was acquainted with Yor Law, nor was an jnhabitan^t, or ffreeman or so looked vppon y^t I know, nor euor had warning or notis Since I was (for about 15 yeers) concearnd in y^e Iseland of anj apperance, or Towne, or Collonyes Concerne In this Jurisdiction. & an Iseland so remote as y^t Is, I may Refer itt to all Reasonable men how I can be reputed a breaker of the Law, or Contemneor of an authority which as often as I haue been at this Iseland did neuor desire mee to Submit to this authority by ther Patten deriued to y^m from the King^e, nor neuor sent officer to Proclaim y^r authority on y^e Iseland, or declare mee to be vnder them, or warne mee off y^e Iseland to appere at ani time or jn ani place or Publiq meeting to be Informed thereof. & let it not bee offensiue If I remind you Gent [that] as I haue neuor heard

Col. MSS. 22:139 (NYSL)

1672 Oct. 29 and Nov. 4

of ani Law to condemne a man tha[t is] but passiue, and no wise actiue, for haueing a wrighting & Comission in his hand If it were taken for good wt Evidences haue Sayd; That on ye Contrary ther is Law to Cleer mee. for in the next Artickle In the [Pa]tten to that of ye boundaries as I humblely doe conceiue his Majte of If hee had foreseen Some differences likely to arrise between this & his other Colonyes doth graciosly of his Paternall care preuent this Colonyes assumeing ther Power In away of Violence or to the Oppression of his Subjects by his Express Will & Pleasure Signifying to this Colony That that Shall bee ther way of Proceed In matters of a Publiqꝭ Concearne yt hath relation to any of his other Collonyes that they appeal to himself for a Redress This Is a matter of a Publique Concearne not my private difference I desire & shall Indeavor a Complyance

Jno Paine

In Court deliuerd ye 29 of Octobr 1672. a true Coppie as attests

Jno Samford Recordr

This was putt in to Court after dinnor. & in ye Place of the other Paper by mee Collected where ther is ye mark ☞ in ye Marjent

Hond Sr

I haue wrott half a Letter more must reffer you to the next appertunity which I expect wil be Capt bedlo In a few days by home I hope to giue you better sattisfaction of yor more prticuler bisnes I humbley Kiss yor hand

& Subscribe Sr yor ffaithfull Servt Jno Paine

Prudence Iseland No ye 4th 1672

[Trial of John Paine.]

Col. MSS. 22:139 (NYSL)

Right Honor^bl

1672 [November]

I coold not in duty Omit this my first^t Opertunity^e to acquaint^t yo^r hon^r with the Courts proceeds against mee at Newport. In the Last^t you had account^t of ther binding me over to y^e Court & a Copie of my charge & my bond the next is my Indictm^t,

I Indict Jn^o Paine of Boston March^t for y^t y^e S^d Jn^o Paine hath pcure^d a Patten fro^m y^e Goverm^t of New York for Pruden[c]e Iseland being a part of this Colony which act of his is against the hon^r Crowne & dignity of his Maj^tie & absolutely against his Maj^te gracios Grant in his Letters Patten to this Collony & also a hig^h Contemp^t of y^e authority^e of this Colony. Edw^d Richman Gen^tl Solicetor

Dated at a Court of tryalls held at Newport Octo^r 23: 72.

P^l forsw^r y^t the Gent: of y^e Jury are Stranjers I except against none of them.

Attest^d by Jn^o Samford Recorder. Liberty of Paines excep^t against y^e Jury Record^r the s^d m^r Jn^o Paine being bound to y^e Court apperes & the Indictm^t & charge to him being red & asked Gilty or no^t Gilty Pleades not Gilty: the Dep^t Gov^r & m^r Attorneys, Speech, & pleas against Jn^o Paine & his answ^rs as he hath to y^e best of his vnderstandeing Collected. M^r Paine wee Looke at you as a quiet & Ingenuos p^rson & beleue you haue don this as being Ignorant here the Law, Recor^dr the Gen^tl Court of Co̅mission^rs held for y^e Collony at warwick Novem^r 2^d 1658. To preuent Inouacion in y^e Goverm^t & libertyes of the Collony from forraine Power, it is ordered That If ani p^rson in this Collony doe putt his or ani part thereof y^t are within this Collonyes boundes vnder the Goverm^t of ani other jursidiction, or doe indeauor actually to bring on any forraighne Power to Governe in any part or parts of this Collonjes precincts, the Penalty for either of thes offences affores^d shall be that y^e offendor shall forfit all his Landes & Estate to the Col-

Col. MSS. 22:139 (NYSL) lony^e^ The jury haue not yo^r^ case & If y^t^ you acknowledg^e^ yower Ignorance & Subject you shal haue w^t^ fauor may be. Paine I doe acknowledge my jgnorance. I neuor knew any

1672 [November] of y^e^ Lawes of this Collony neither haue I been Concearned with them or with y^e^ Patten of this Collony m^r^ Boston one of y^e^ hon^r^ bench answer^d^ y^t^ about 3 yeers Since giuing him a Vissit I desireed y^t^ a Rate w^ch^ y^e^ Towne of Portsmouth had lay'd vppon mee, migh^t^ be forborne & I Answr^d^ his worship had forgat y^e^ passag^e^, I gaue him a vissit & after Other discorse desired that ther might be a little Suspending^e^ of the officers being Sent to y^e^ Iseland to take it ther & to Saue my great damage y^t^ woold therby accrew I woold ord^r^ Som notis to be giuen y^m^ or shoold haue Some Estate of mine in Rhode jseland which they migh^t^ Laye hould of if they woold take it. M^r^ Boston owneed thes were the words as nere as he coold remember or to this same purpose. it was replyed In Cour^t^ y^e^ ther was Rates Several times payed by mee I answer^d^ I had neuor paid ani but alwayes refuseed & had [d]emande[d] by w^t^ authority^e^ I was obliged to pay any, but neuo^r^ was Informed & did then In Court call Jn^o^ Smith & W^m^ Allin wh[o] had liued vppon Prudence (longer then from ther firs^t^ demandes of Rates) as my Tenants to testyfy that I neuor payd to ther Knowledge any Rate but being Informed of the demandes, did order y^m^ all wayes, (& forwarne y^m^) to pay anything Excep^t^ they took it by Authority, for I knew no Reason of ther demand, nor y^t^ I was Concern^d^ with y^e^ Collony anywise. the Boundaries of y^e^ Collonj are here vppon causeed to be red w^ch^ when I heard I did redyly acknowledg^e^ y^t^ that Patten as it did by its Gen^ll^ boundaries comprehend (excep^t^ ffishers Iseland) all Iselands Inclusiuely within such limetts So it jncluded this. M^r^ Attorny Gen^ll^ Pleades to y^e^ Patten to y^e^ Law of y^e^ Collony before Recited, to my breach thereof

and contempt therby & the Penalty. I Pleaded Ignorance of ye Laws of this Collonye of the Patten, & of being Concearned In Either — Dept Govr If you haue yor Answr in wrighting you may giue it in. I Answr If it may Pleas ye Court I haue Collectd wt I apprehend Sutable to help my memorie, & saue time, but it is a Ruff draft blotted & jnterlined I shal soon draw it out If ye Court Pleas. [L]t Govr ye Court hath no other bisnes now it wil hindr ye Cun[try] JP: Pleads, & urges it, as a part of the essense of a Law, yt a[l]though Expressed to be made & in acted by Legal authority & written yet is no act or Law or hath ye Force of a Law vntil Promulgacion or Proclamacion & as Proclamacion is an Inseperable adjunct & part ye Essense of a Law, so are time Place & Proclamacion Inseperable Adjuncts & pt of ye Essense of a Patten or Comission yt giues ym being & without which they are but ded wrightings but I haue not Proclaimed any Power neither haue I acted by any nor is ther euidence yt I haue don it. I haue been Passiue as a Priuate prson yt must Obay & shall to home I stand most justly Obligeed & for Contempt of this authoritye I cañot charge my Self with it It were ill becoming a Gent: or ani prson of Comon Reason or Educacion to contemne authority I acknowledge his Majtes authority to be of a more Sacred nature then to Contemne it. Dept Govr You herein owne not yor Subjection to ys Jurisdiction I am a Priuate Person, & passiue, it is not my duty to d[ete]rmine ye Right of Jurisdictions for anj difference of yt nature [a]pprehended as adveaning it is of a Publiq Concearne a differenc[e] beetween ys Collony & ye Collony of New York, not mine, or in my [sa]yd Power to Resolue or Issue, I can but be passiue & doe desire yr [shd] bee a Composure. Dept Govr Recordr Read ye oath or Ingagemt [as] Sd [in] ye Law of this Collony: Paines demandd If he wil take it Answrs [I a]cknowl-

Col. MSS. 22:139 (NYSL)

1672 [November]

Col. MSS. 22: 139 (NYSL)

1672 [November]

edge my Loyalty to his Majᵗᵉ & to his Lawes freely & can freely take this Ingagemᵗ here prescribeed with this caution that it prejudiceth not me or my Conecarnes in ani other of his Majᵗᵉˢ Collonyes, though I am no jnhabitenᵗ or free man here. No Prouiso Is admitted. So furdʳ addes. I haueing heard that Seuerall Collonyes demand's Prudence Iseland vnder yᵉ Generall name of an Iseland by ther Patten boundaries & it haueing been Demanded first by virtue of his Royall highnes yᵉ Duke of Yorkes Patten which was in part red to mee & yᵉ Patten shewᵈ mee to reed jn which Patten his Majᵗᵉ hath Graciosly Confirmᵈ the Lord Starlins Patten & right's allso which are yᵉ most antient of thes Collonyes & takes in all Iselands in Genᵗˡ allso, to yᵉ westward of Capecod, not nameed. I doe not See how I can Reasonabely or Safely act furder but rest passiue. Depᵗ Govʳ haue you been Comanded or Obligeed before now, to act by yᵗ or ani other Power, or to yᵗ purpose. A. then I haue disobayᵈ & I woold not willingly bee disobedienᵗ to ani authority deriued from his Majᵗᵉ Depᵗ Govʳ you haue great fauor, & freedom to plead I acknowlege ani fauor of yᵉ honrᵈ Court. the Court adjornes for an howre til after dinnor. The Court is Sett, Paine, apperes, offers wh[at hee] hath drawne up for yᵉ Jury, yᵗ red it is deliuerd yᵉ Jury. the [Jury] deliuers ther verdict Guilty. yᵉ Court demands haue you anithing furdʳ to propose. Paine. I desire yᵉ honʳᵈ Courts Charitable thoughts of mee I think it not So good Sattisfaction to yᵉ Court or So just or honoʳble for mee since the jury hath passed & I may make no furder Plea to my Indictmᵗ that I add to what I haue Sayd vntil the Court hath passeᵈ ther sentance but that with all Submissiuenes I owne authority & Shall Indeauor wᵗ lyeth in me to doe or propose. Depᵗ Govʳ the Court shews you all yᵉ fauor & previledgᵉ is Sutable &c and you may take yoʳ Liberty vppon yᵒʳ Promise

to apper on y^e^ forth or fifth day wee Suppose you to valew yor word doe you promise apperance. I doe promise to appere & I valew my word more then a bond On the fifth day y^e^ Court Setts. Paine called apperes, the Sentance is Red. The Court doe Pass y^r^ Judgem^t^ y^t^ in This case m^r^ Jn^o^ Paine hath transgressed y^e^ Law of this Collony & doe Sentance him accordingly Only Doe suspend y^e^ Exicution vntil y^e^ Generall Court of Tryalls in May next at Newpo^rt^

Jn^o^ Samford Record^r^

Col. MSS. 22:139 (NYSL)

1672 [November]

y^e^ Court Expreseth y^r^ fauorable dealing & make no furder demands of Paine. Paine An^rs^ I acknowledg^e^ y^e^ Courts Respects & favor & y^t^ they haue delt wisely in giueing this Oppertunity for a Composure of this difference which I shall Indeauor hartyly. this Answ^r^ was well Rec^d^ & Paine took leaue of y^e^ Cour^t^

Addressed:

To the Right hono^r^^le^ Frances
Lovelace Gov^r^ in Genera^ll^
of his R: Highneses
Teritoris Jn America

P^r^ m^r^ Jn^o^ Browne
Q. D

Endorsed:

M^r^ Paines Ire
& narracõn at
large to the Go-
vorno^r^ about his
Tryall at Rhode
Island. in
Oct^r^ or Nov^r^ 1672

G. E. 4:267 (NYSL)

Łre from y^e^ Governo^r^ to M^r^ Holmes of Rhode Island.

M^r^ Holmes.

1672/3 Mar. 10

I receiv'd yo^r^ kinde Letter by M^r^ Barker, & y^e^ same good Wishes you sent mee, I returne to yo^r^ selfe the like, if God please to accept of them. You may bee certaine that I shall not bee wanting to you for a Lott on Staten Island, but withall you must bee contented as both yo^r^ Son & others are; you will perhaps smile when I shall tell you I may see you this Spring at Road Island; & truly if my Purposes bee not interrupted by any publick Affayre, I intend to visitt those parts I have lately assumd under his R: H^s^ Protection; that is, Martins Vineyard, & Nantuckett. for Prudence, though absolutely tis compriz'd under his R: H^s^ Patent, yet I will not soe asperously press it without a Calme Discourse w^th^ the Patentees of Rhode-Island, and after that too, fairely to referr it home to his M̃a^tie^ on his Royall Highness behalfe; In the meane time tis an Astonishment to mee to see the Proceedings soe sharply prosecuted by those in Authority w^th^ you against Mr Paine, knowing that in a Case disputable, the inferiour must submitt to the Determinations of those above him. In the Interim I desire only to bee understood as one whom his Duty obliges to assert his Masters Interest, & that not frowardly but peaceably & amicably, knowing that my Results at best are noe more valid then as they receive Approbation from my Royall Master. I have noe more at this time, the Opportunity of the departing of the Vessell not suffering me to launch on further. I only have time to wish you length of dayes & happy ones, & an Assurance that I am

Yo^r^ Loving Friend

Fr: Louelace

Fort James Mar
y^e^ 10^th^ 1672.

No. LXXIX.

WAR DECLARED WITH HOLLAND.

New England to proclaime the Warr.[1] (NYSL)

Charles R

Trusty and Well beloved Wee Greet You well. Haveinge found Our Selfe Oblidged for the just Vindication of the antient and undoubted Rights of Our Crowne, and for reparation as well of the many affronts and indigneties done to Our Royall person and dignety, as of the frequent wrongs and injuries done to Our Subjects by the States Generall of the Unitted Provinces to declare Warr against them, Wee have thought good hereby to give you Knowlidge thereof Willinge you forthwith upon Receipt hereof in the ussiall manner to cause the said Warr to be proclamed within that Our Collony accordinge to Our declaration (Copies of which Wee have directed to be herewith Sent you) and that at the Same time you cause Seizure to be made of all Shipps goods and Merchantdizes belonginge to the Said States Gener[ll] or their Subjects. And because Wee have reason to beleive from the Constant evill minde they have been alwaies knowne to beare to Our fforreigne Collonys and Plantations, and haveing lickewise understood that a Considerable Number of Privet men of warr, are now prepareinge in Holland and Zealand to be forthwith Sent into the West Indyes to infest and annoy Our Plantations there, Wee thought 1672 Apr. 3

[1] The file copy of this document is lacking in the archives of New York, hence this text is presented from a Massachusetts copy, now in the New York State Library.

(NYSL) 1672 Apr. 3 fitt Out of Our Princely Care and Regard to the Safety of these remote Parts of Our Dominions, and for the Secureinge of Our good Subjects Inhabitinge there, or tradinge thither, to recomend it to you, as Wee doe by these very perticularly forth-with to apply your Selves jointly to Consider of the Condition thereof and by all the Speediest and most efectuall meanes you can early to provide for its Safety and defence, and for the Protection and Security of Such Shipps and Vessalls as Shall be from time to time Rideinge in the Roades and Harbors there, from the Assaults & attempts of the Dutch. And pertickularly Wee thinke fitt to repeate Our former Orders to you, that all Such Shipps which Shall come thence be Enjoined to Saile in Considerable Numbers for their Comon Securety, and that then and even dureing their Stay there it will be fitt Some of the most Experienced officers have Authorety given them to Comand the rest Wee have thought fitt hereby to Authorize & empower you to doe therein, what accordinge to this or any other emergencies Shall apeere to you to be most for the Safety of Our Collony, and Navigation of our Merchants, and further that in all other Matters Relateinge to the Jurisdiction of Our Most Deare Brother the Duke of Yorke Our High Admirall &c. you Observe such Orders and directions as you Shall from time to time Receive from him, whome Wee have Comissionated to grant Letters of Marque and Generall Reprissalls against the Shipps goods, and Subjects of the States of the Unitted Provinces, Conformable to which Our Will and Pleasure is, that you take and Seize the Shipps vessells, and goods belonginge to the Said States or any their Subjects or Inhabitants within any their Territories, and to bringe the Same to Judgment and Condemnation accod. to the Cource of Admiraltrie and lawes of Nations. And these Our Letters that You Comunicate to the rest of Our

Collonys Your Neighbours, Our Pleasure beinge that with all care and applycation possible they arme them selves against the Dangers which threaten them in this Conjuncture from Such an enemy, and proceed accordinge to these Our directions, and Such as they Shall receive from Our Said deare Brother, assureinge them and all our Loveinge Subjects in those parts, that Wee shall not be wantinge on our Part, on all occassions to helpe, and Succour them to the Vtmost of Our Power and to Contribute all possible meanes for the Securety and improvement of the trade and Comerce, and Soe Wee bid you farewell. Given at Our Court at White Hall the 3d day of Aprill in the 24 yeare of Our Reigne (NYSL) 1672 Apr. 3

By his Majties Comand
Ahlington[1]

These
ffor our Trusty and Well beloved the Governor and Councill for Our Collony of the Massachusetts
To
Bee Comunicated to the Other Collonys there

Endorsed:
Copie of his magisties Letter about ye dutch war to be pclaimed &c dated ye 24th yeer of his magisties raigne, ye 3d of Aprill

[Lovelace to Winthrop.]

G. E. 4:148 (NYSL)

Forte James ye 26th June 1672.

Deare Sr

I recd 2 Letts lately from you of May 2d & June ye 17th togethe wth his Mãties Declaracons, & severall Gazetts, 1672 June 26

[1] Arlington.

G. E. 4:148 (NYSL)

1672 June 26

for all w^ch^ I must acknowledge my selfe yo^r^ obsequious Debto^r^; the Substance of most of it had arriv'd mee before, only I very much long'd to have a Sight of his Mã^ties^ Declarac̃on against the Hollander, in regard I beleeve upon that p^r^sumption the Govern^r^ of Boston caus'd open Warr to bee proclaim'd against the Dutch, I must confess I am not skilld enough to determine whether it bee proper, on a Declarac̃on only to use y^e^ fformality of denouncing Warr; Proclamac̃ons (w^ch^ allwayes are accompanyed w^th^ Directions to y^e^ particular Offic^rs^ to putt what is therein specifyed into Execution) have been y^e^ practicable way; soe that being a little in Doubt I have suspended y^e^ formality till either I receive Advertisem^ts^ from England (w^ch^ I dayly expect) or till by y^e^ practice of our Neighbo^rs^ they resolve my Doubts, of w^ch^ I principally desire yo^r^ Opinion.

By Lett^rs^ I receiv'd from Holland I am assur'd of the seizure of all our Vessells, that were unfortunatly in their Portes being 4 in Number, viz^t^ my ship y^e^ Fame, M^r^ Delavalls y^e^ Margarett, M^r^ Stenwijck y^e^ James, & Fredrick Philips the ffredrick; They are as yett but under an Arrest, being not proceeded soe farr as to a Confiscac̃on; Wee hope y^e^ 32 Article of Agreem^t^ at Breda, will secure us, there being a particular Provision made against y^e^ Inconveniency of a suddaine Rupture by allowing all Subjects 6 Months Liberty to withdraw their Estates after a Stroak is strook; However wee must attend w^th^ Patience. About a ffortnight hence here is a very good Ketch design'd for England, w^ch^ I shall dispatch with a Pacquett to his Mã^tie^ & my R. Mast^r^; I thought good to advertize you of it, that soe (if you were desireous to send) you might finde a suddaine Opportunity.

S^r^ there is 4 Persons within 2 dayes runn away from hence, the one is a Covenanted Servant to M^r^ Garland (who brings you this, the other is deboysted away by y^e^ rest, being my

own Cook, Isaack Ratt by Name, who is notoriously marked haveing the use butt of one hand, y^e^ left being splitt in two, hee is of a light brown Hayre, & in gray Cloaths, but tis possible hee may change them, for hee had Variety; If hee happen in yo^r^ Jurisdiction (as hee is gone that way in a Canoo, pray lett them bee stopt & sent back, & I (will w^th^ thanks,) satisfy what Cost shall arise on it. G. E. 4:148 (NYSL) 1672 June 26

Truly S^r^ if there bee not some severer Course practiz'd, Mast^rs^ will neither bee able to keep their Serv^ts^, nor Offic^rs^ their Souldyers. I can reckon 9 or 10 of our Souldyers that lye lurking in your parts, though I am very well assur'd w^th^out yo^r^ Privity. Pray assist mee to yo^r^ power at this time in my Cooke, & you will lay an Obligation on mee to acknowledge my selfe

Yo^r^ affec̃^ate^ Servant
Fran: Louelace.

To y^e^ Hon^ble^ John Winthrop Esq^r^ Govern^r^ of his Ma^tyes^ Colony of Connecticott.

Letter to S^r^ Jn^o^ Heyden K^t^ Governo^r^ of his Mã^tyes^ Island Bormoodos. G. E. 4:167 (NYSL)

S^r^

Not only my naturall desire of p^r^serving a Correspondence w^th^ you is alone the Subject of this Letter, but haveing an Obligac̃on of a more transcendent nature on mee, w^ch^ is his sacred Mã^ties^ Commands, who by a particular Letter has been pleas'd to Declare his Will & Pleasure, that I should make a Publicac̃on of a Warr between him & y^e^ States of y^e^ Vnited Provinces, withall that I should take Care that these his Determinac̃ons should bee communicated to y^e^ rest of the [1672 July[1]]

[1] This recorded copy of the letter is not dated, but from its position in the volume appears to belong between July 16 and 18, 1672.

G. E. 4:167 (NYSL)

[1672 July]

Neighbouring Governo^rs of any of his Mã^ties Colonyes in America, to the end his Mã^ties Commands may bee solemnly observ'd, I have taken this Opportunity to advertize you thereof, and withall sent you here his Declaration, w^ch I have proclaim'd as y^e Bearer hereof M^r Reyton more particularly can relate, whom since I have menc̃oned by Name, I cannot slipp my Penn without that just & worthy Character hee merited dureing his Abode in these parts, who being on his returne to you againe leaves us doubly aggrievd, first for his Loss, next that this unhospitable Soyle had noe allurement to prompt him to a Cohabitation with us.

By a Ship that arriv'd here from Fyall, y^e Master confidently averrs of a Peace between his Mã^tie & y^e Dutch, y^e Intelligence being brought thither by an Eminent Com̃ander (next in Dignity to y^e Governo^r) who brought it from Lisbon & was not 14 dayes under way, soe that it may now amount to neare two Months I p^rsume this is as fresh Newes as com̃only can bee expected from Europe, & soe probably true; w^ch God grant as a means to stop that Effusion of Christian Blood y^e brandisht Sword is now like to draw. S^r I have nothing more worthy to present you with at this time, only to assure you on all Occasions you shall finde mee.

S^r.

Yo^r very much affectionate
and humble Servant
Fr: Louelace

G. E. 4:170 (NYSL)

Instructions for Cap^t De-Lavall & M^r Steenwijck, at their goeing for Albany July y^e 18^th. 1672.

Gentlemen.

1672 July 18

Forasmuch as you are sufficiently acquainted w^th his Mã^ties Resoluc̃ons of prosecuting a Warr w^th y^e States of y^e

vnited Provinces, as appeares both by his Publisht Declaracõn, & likewise by his particular Lett^rs directed to mee to bee communicated to you, w^ch said Letters & Declaration you shall carry along w^th you for your better Guidance & Instruction, You are in the first Place after yo^r Arrivall to cause y^e said Declaration to bee solemnly proclaym'd, by what fformality you shall conceive to bee most effectuall according to his Mã^ties Intention & good Pleasure. G. E. 4: 170 (NYSL) 1672 July 18

You are likewise to see that y^e Forte and Militia bee putt in that posture as may best secure themselves against the Attempts of any Enemyes to his sacred Mã^tie & his Royall Highness either publick or private.

If you finde their ffeares too great, you may assure them an Expedient shall bee propounded, as will infallibly secure their Doubts by locking up y^e River soe, that noe fforce shall bee able to attack them; to that end I propound this; In my Travailes I have observ'd (w^ch I desire you to take a more strict observation of y^e Scituation as you pass that way) at Antonio's Nose upon the West Coast there is in a Corner a Piece of Ground well water'd, low, & very strong by nature, where if a Block-house were but erected, & a Breast worke cast up to make a Battery, & but 4 Gunns planted there, It would stop y^e Passage of any Vessell or Vessells from passing up the River, y^e place lyes in an Angle w^ch y^e Stream makes there, & y^e Current setts on that Shore, within less then halfe Pistoll Shott; This fforte being supplyed but with a douzen Men from Albany & Esopus to manage y^e Gunns & to afford some small shott, must of necessity give a Stopp to any Vessell from attempting their Designe, if this bee not thought a proper Place, any other may bee pitcht on on y^e East side of the River in the High Lands; Provided y^e Scituation bee naturally low & capable to Erect a Battery & well water'd.

G. E. 4: 170 (NYSL)

1672 July 18

You are to use yo^r best skill and Industry to bring the Inhabitants to a complyance to a voluntary Contribution towards y^e Reparac̃on of this fforte their Mother & greatest Concerne, & you are to acquaint them of y^e readyness of these parts & what Diligence is used to compleat the same.

You are to call for the Ord^rs made when wee were last there, & to see what is executed, & if any thing happen anew to heare and determine it.

What is here directed for Albany you may com̃unicate to the Esopus, still leaving the manner & method to your prudent Determination.

Lastly as soon as conveniently you can dispatch yo^r Affayres both publick & private I shall desire yo^r speedy Returne to mee againe, you well knowing how much I am destitute in your Absence of any helps, And soe God send you a prosperous Journev & Returne.

[Francis Lovelace.]

G. E. 4: 181 (NYSL)

Warrant to Cap^t Salisbury to make seizure of all Dutch Goods & Estates at Albany.

1672 July 18

These are to Authorize & appoint you that w^th all convenient Expedition after his Mā^ties Declarac̃on of Warr against the States Gen^all of Holland shall bee proclaymed at Albany according to the Directions in the said Declaration sett forth, you seize upon and secure soe much of the Goods, Chattells, and Effects belonging to any of the Subjects of the said States as is in the hands of any of the Inhabitants at Albany or parts adjacent, and that you render mee an Acco^t thereof, soe that farther Order may bee taken therein, & for soe doeing this shall bee your Warrant. Given under

my Hand at fforte James in New Yorke this 18th day of July 1672. G. E. 4:181 (NYSL)

[Francis Lovelace.]

To Capt Silvester Salisbury. These. 1672 July 18

Lett[r] from y[e] Governo[r] to y[e] Offic[rs] of y[e] Militia upon Long-Island. G. E. 4:187 (NYSL)

Gent.

Having an Assurance of yo[r] great Care and Vigilance for the p[r]servac̃on of the peace & safety of the Countrey in yo[r] severall p[r]cincts, I thought to have freed you from the trouble of this Letter, since soe lately you have by publick Proclamation been advertiz'd of y[e] great Revoluc̃ons now in Europe, & his Mãt[ies] Gracious & Paternall Advice to us how wee should comport our selves now in these boysterous times, wherein great part of Christendom is engag'd in Arms; To y[e] end therefore that his Mãt[ies] Princely care of us may bee return'd by all due Obedience to his Royall Will & Pleasure, You are to follow these Directions. 1672 July 28

First, That you make an Exact View of y[e] Ability of all Persons that are able to beare Arms according to the qualificac̃ons specifyed in the Booke of Lawes.

Next, That an Offic[r] bee appointed to view their Armes at their Houses, (there being great Deceipt practiz'd at Musters in borrowing of Arms) & to see that they bee well fixt, w[th] a proportion of one pound of Powder at least, & two pound of Shott.

Lastly, That y[e] severall respective Command[rs] draw out their Companyes to Exercize, & that a due Watch bee Establisht to give notice of the Approach of any Enemy if it should soe happen.

These things being duely observ'd by you (of w[ch] I expect

G. E. 4: 187 (NYSL)

a due and speedy Acco^{t} I question not but to render a good Accompt of yo^{r} safety to our Royall Master, who will bee well pleasd to heare of your readyness to oppose y^{e} Enemyes of our Nation, in w^{ch} honourable Vndertaking hee is already soe deeply engag'd. Thus having noe more to recommend at present to you, I take Leave of you, & bidd you heartily ffarewell.

1672 July 28

Yo^{r} assured Friend.
Fran: Louelace.

Forte James y^{e} 28. July 1672.

To y^{e} Justices of y^{e} Peace, of the East, North, & West Ridings of Yorkshire upon Long Island, to bee communicated to y^{e} Captains, & other Offic^{rs} of y^{e} Militia, within their Precincts.

G. E. 4: 192 (NYSL)

A Warrant directed to Cap^{t} Nicolls concerning the Militia of Horse upon Long Island.

1672 [August?]

Whereas in this time of Warr, It is requisite that the Militia both of Horse & ffoot should bee carefully lookt after, soe that upon any emergent Occasion they may bee in a readyness for immediate Service, These are to require you, that you give Ord^{r} to yo^{r} inferiour Offic^{rs} That they make Enquiry how y^{e} Troopers under your Command are fitted & provided; And that some time the next month you cause them to meet together at a convenient Rendezvous upon Long Island; giving them charge to appeare wth able Horses, Armes well fixt, & ffurniture thereunto belonging, wth a convenient proporc̃on of Ammunition, and that you render mee an Accompt in what posture they are; And for

soe doeing This shall bee your Warrant. Given under my hand this [*blank*] day of [*blank*] 1672. G. E. 4: 192 (NYSL)

[Francis Lovelace.]

To Capt Matthias Nicolls. 1672 [August?]
These.

Commission granted to Capt Salisbury & others, empowering them to seize upon all Goods or Merchandize appertaining to any of the States Genall of ye Vnited Provinces. G. E. 4: 227 (NYSL)

Whereas in Obedience to his Mãties Declaracon, wherein it is expressly enjoyned that ye Goods & Effects of the Subjects of ye States Genrll of ye united Provinces in any part of his Mãties Dominions should bee seized upon & secured, I did issue forth an Ordr to Capt Salisbury commanding him to see ye Contents of the said Declaracon putt in Execution at Albany & parts adjacent, the wch in part hath been there already done by him; To the end that ye true Intent & Meaning of his Mãtes Declaration may bee more effectually prosecuted, & that what Estate soever more there can bee made appeare really & bonâ fide to belong unto the Subjects of the States Generall aforesd now in Open Warr & Hostility wth his Mãtie may bee secured, I have thought fitt to nominate, constitute, & appoint, & by these prsents doe hereby nominate, Constitute, & Appoint Capt Silvester Salisbury [*blank space for additional names*] to bee Commissioners(of ye wch Capt Salisbury to bee President & have a double Voice) to make Enquiry & Inspection into all such Estates, & the same to secure in the hands of the persons wth whom they shall bee found, not to bee disposed of untill his Mãties or his Royall Highness his Pleasure shall bee farther known therein, & that any two 1672 Oct. 25

G. E. 4:227 (NYSL)

of y^e^ Commission^rs^, the President being one, or three of the others in his Absence shall bee a Quorum to Act by vertue of this Commission; Hereby giving unto y^e^ said Commission^rs^

1672 Oct. 25

Liberty to Administer an Oath unto any person or persons for y^e^ clearing & discovery of the truth (w^ch^ Oath they are hereby empowered to give) & all other lawfull Act & Things to doe in prosecution of this my Commission, for the w^ch^ this shall bee to them or any of them a sufficient Warrant & Discharge. Given under my Hand & Sealed w^th^ the Seale of y^e^ Colony this 25^th^ day of Octob^r^ in y^e^ 24^th^ yeare of his M$\tilde{a}$^ties^ Reigne, Annoqβ Domini 1672.

[Francis Lovelace.]

No. LXXX.

SCHENECTADY — TRADING WITH INDIANS.

G. E. 4:84 (NYSL)

An Ord^r^ prohibiting handling w^th^ the Indyans at Schanechtide &c:

1671/2 Jan. 9

Whereas It hath not been found convenient that y^e^ Trade of Handling w^th^ y^e^ Indyans at Schanechtide should bee permitted or tolerated, for that it may prove a great p^r^judice to y^e^ Towne of Albany; And Complaint haveing been made unto mee, That diverse small Partyes of Indyans doe come privately to Schanechtide, w^th^ whom diverse of y^e^ place doe p^r^sume to Trade & handle, notwithstanding y^e^ severall Ord^rs^ to y^e^ Contrary; ffor y^e^ p^r^vention whereof for y^e^ future; These are to Authorize & Empower Capt Sylvester Salisbury Commander of y^e^ fforte at Albany, & Schout there, & in y^e^ Places adjacent, as hee shall have Informa$\tilde{c}$on, or shall see

Cause to make Search & Enquiry in any suspected House at Schanechtide or parts adjacent, for such Indyan Goods as are prohibited to bee handled there; And that hee bring the Transgressoʳˢ to condigne punishmᵗ; ffor yᵉ doeing whereof This shall bee unto him a sufficient Warrant. Given &c: this 9ᵗʰ day of January 1671. G. E. 4: 84 (NYSL) 1671/2 Jan. 9

ffran: Lovelace

To Capᵗ Sylvestʳ Salisbury
Comand^r of yᵉ fforte, &
Schout at Albany.

No. LXXXI.

MAMARONECK — JOHN RICHBELL AND HIS TENANTS.

An Ordʳ about Mʳ Richbell, & Jeremy Canniff, for composing yᵉ Difference between them. G. E. 4: 174 (NYSL)

Whereas I am given to understand, that great Contest & Contention is arisen amongst yᵉ Inhabitants upon yᵉ Plantacons at Momoronock belonging to Mʳ Jnº Richbell, occasioned principally by one Jeremiah Canniff & Anne his Wife his Tenants, who likewise (as is alledged) have very abusively defamed him & his ffamily, & yᵉ said Mʳ Richbell haveing requested that I would send some Persons of Repute & Authority to enquire & examine into yᵉ Mattʳ upon yᵉ Place & if possible to compose their Difference; These are to Authorize & Appoint you Thomas Lovelace Esqʳ one of yᵉ 1672 July 22

G. E. 4:174 (NYSL) 1672 July 22

Justices of the peace, Capt Jno Manning High Sherriff, & Mr Jno Rider at yor best convenience wthin one Months time after ye Date hereof to repayre to ye said Plantacons at Momoronock there to examine into & take cognizance of the Matt: & wthall to Endeavour a friendly Composure amongst ye Inhabitants, Of all wch you are to render mee an Acco: at your Returne, that a finall Issue & Conclusion of ye Busyness may bee made; And for soe doeing this shall bee your Warrant. Given &c: this 22th July 1672.

[Francis Lovelace.]

No. LXXXII.

FORDHAM MANOR — DISTURBANCE LED BY JOHN PIETERSEN.

G. E. 4:166 (NYSL)

An Ordr about a Difference between ye Inhabits of ffordham.

1672 July 10

Whereas I am given to understand that some Disturbance is arisen amongst the Inhabitants of ffordham, occasioned (as is alledged) principally by John Peitersen. These are to Authorize Mr John Rider and Mr Thomas Gibbs, to make Enquiry of & examine into ye Matter, & endeavour a Composure & right Vnderstanding between them; Of wch they are to render mee an Acco: & for what they shall Act herein this shall bee their Warrant. Given &c: this 10th day of July 1672.

[Francis Lovelace.]

No. LXXXIII.

NEWTOWN — DIVORCE OF THOMAS PETITT.

A Bill of Divorce between Thomas Pettit of Newtowne & Sarah his wife. G. E. 4:213 (NYSL)

1672 Oct. 11

Whereas Sarah y^e^ wife of Thomas Petitt of Newtowne in y^e^ West Rideing of Yorkshire upon Long Island was at y^e^ last Court of Assizes held in this City accused for her defiling the Marriage Bed & committing Adultery w^th^ severall persons; All w^ch^ did soe evidently appeare to this Court that at the Suite of the said Thomas Petitt her Husband that hee might bee divorced from her, the Court did adjudge & thought it reasonable that it should bee granted, & recommended the same unto mee; Vpon due Consideracõn had hereupon, & for the reasons afore specifyed, It being also conformable to the Lawes of the Government as well as the practice of the civill Law, & the Lawes of our Nation of England in such Cases provided, I doe adjudge & declare upon y^e^ breach of y^e^ matrimoniall Contract by the said Sarah the wife, in committing that great Crime of Adultery as aforesaid, That hee the said Thomas Petitt y^e^ Husband is freed from any farther Obligacõn or Tye of Marriage unto her y^e^ said Sarah his wife, & hee is hereby pronounced to bee discharged & acquitted from the Matrimoniall Contract heretofore made between them to all Intents & purposes whatsoever; ffor the w^ch^ this p^r^sent Writing & recording thereof shall bee an absolute and Authentick Bill of Divorce. Given under my Hand & Sealed w^th^ y^e^ Seale of the Province this 11^th^ day of October in y^e^ 24^th^ yeare of his Mã^ties^ Reigne, Annoq̃ Dñi 1672.

[Francis Lovelace.]

No. LXXXIV.

ALBANY — REPAIRS IN THE FORT.

G. E. 4:210 (NYSL)

Liberty given to Capt Salisbury to build a Kitchin adjoyning to ye House in ye fforte, as hee shall see fitt &c:

1672 Oct. 7

Whereas Capt Silvestr Salisbury hath repr̃sented unto mee that the House in ye ffort at Albany stands in great need of Reparacõn, & that it will bee for ye future as well as present Convenience of the chiefe Officer there, that a Kitchin bee built adjoyning thereunto, It is Ordered, That it bee left to the Care & Charge of Capt Salisbury both for ye Reparacõn of the House & building the Kitchin, for the wch Agreemt is to bee made at the best hand, the Charge whereof shall bee allowed out of the Packt or great Excize there, of wch hee is to render mee an Accot Given under my Hand at Fort James &c: this 7th day of Octobr 1672.

[Francis Lovelace.]

No. LXXXV.

SOUTHAMPTON — JOHN JENNINGS AND WILLIAM JANE *vs* JOHN COOPER, FOR DEFAMATION OF THE GOVERNMENT.

G. E. 4:233 (NYSL)

Lettr to Capt Jno Howell &c:

Gent̃.

1672 Nov. 21

I received yor Letter of ye 14th of Novembr 1672., the Subject Matter being an Accot of yor Proceedings wth the Marris-

shal for his presumption of Administring an Oath, when the Matter appertain'd to the Justices properly; I could not have thought such a Punctilio could have begatt soe much trouble as already it has done & like to doe, especially there being another Affayre twisted w^th^ it, & that is some defamatory words John Cooper should bee accus'd to utter against the Assembly, for the w^ch^ you have carefully & prudently bound over both partyes to answer at the next Sessions; It was a Wonder to mee since Jennings who (it seems) had long intelligence of Coopers carriage in this Affayre, that hee not soe much as ever reveal'd it, when all Partyes were here at y^e^ last Assizes, where the whole Busyness might thorowly have been scann'd, but to lett it sleep all that time, & only to awake it to make it subservient to his private end, for I learn'd this Eruption should (perhaps) never have appear'd the light, had not Jennings been disoblig'd by Cooper in the refusall of delivering him into the whole possession of a parcell of Land hee had contracted w^th^ him for. In fine, at this time I referr y^e^ whole Matter in Controversy to yo^r^ just & prudent Managery, not doubting but you will bee as zealous to preserve the dignity & reputation of those entrusted in the Publick Managem^t^ of Affayres, as you will have a tender respect for yo^r^ particular Neighbor. I have taken the Deposition of William Jeanes, soe that now that is authentick, sufficient to validate y^e^ truth of his Alligac̃on & Accusac̃on of Cooper, yet withall leave Circumstances to yo^r^ Justice, as to make a Determinac̃on (when you shall see Cause to determine) if it may end in such a Composure, not derogatory to what I have above specifyed; At yo^r^ Sessions severall of y^e^ Councell & Justices of these parts are resolv'd to bee w^th^ you, on Occasions of publick Busyness & private, when that Matter may bee more thoroughly

G. E. 4:233 (NYSL)

1672 Nov. 21

G. E. 4:233 (NYSL) inspected, & those that shall appeare culpable left to suffer such penaltyes the Court shall finde fitt.

1672 Nov. 21 S[r] I have according to yo[r] Recommendac̃ons invested Jennings in the receipt of the Customes in yo[r] parts, & desire you to assist him in all lawfull helps to the Execuc̃on of his Office, if occasion shall present for your Aid.

ffor y[e] recommendac̃on of yo[r] Towne for you to bee continued in your Office of Justice of the peace for the next ensueing yeare, I shall most readily consent unto it, & to that end have sent you yo[r] Commission, being very well satisfyed of the Execution of that trust I reposed in you this last yeare, & not in the least doubting of yo[r] continuance in the same care of the Publique. I have noe more, only on all Occasions that shall bee presented to you, to transmitt to mee the State of yo[r] Affayres in those parts, that soe that Vnity may bee preserv'd amongst us, as may best tend to the peace & prosperity of these his Royall Highness Territoryes now under my care & trust, Allwayes remembring you beare a part of it. Pray recommend mee to all my ffriends about you, & assure them I shall allwayes continue soe unless it bee their own faults. I am

Yo[r] Loving ffriend

Fran: Lovelace.

Fort James y[e] 21[th] of Novemb[r] 1672.

S[r] I had forgott to take notice of one particular busyness; It seems Jennings is remoovd from executing that Office of Deputy Constable; for very vallid reasons now too tedious to rehearse I conceive it requisite, hee bee continued in that Office till the next Sessions.

[Lovelace to Captain John Howell.]

G. E. 240 (NYSL)

Forte James Novem: y^e^ 28^th^ 1672.

To Cap^t^ Jn^o^ Howell Justice of peace of Long Island.

S^r^

The last I sent to yo^u^ was in Answer to one of yo^rs^ & M^r^ Mulfords brought to mee by an unknown hand, & soe was forct to send it by Jennings, by w^ch^ yo^u^ will finde my sence on that Complaint Jennings seem'd to p^r^ferr against Cooper; I am very much of yo^r^ Opinion, that his prosecution of Coop^r^ may take its rise from private Ends, not that I doe not believe Cooper may bee blamable of untoward Expressions (being a Man naturally not soe well polisht as others of a more gentle nature) but in regard the Matter lay buryed soe long w^th^out y^e^ least mention of it till the Difference betwixt them both reviv'd it; I have referr'd y^e^ meritts to yo^r^ Determinac̃ons at the Sessions, in w^ch^ I shall desire you to bee a little favourable to Jennings concerning the Oath hee p^r^sum'd to Administer w^th^out yo^r^ Appointm^t^; And I recom̃end this the rather, in regard it will bee a discouragem^t^ to Publick Vndertakers of Offices, when by their unskillfullness they shall runn into any Premunires. I doubt not but by yo^r^ Moderac̃on & Prudence to heare of such a Composure as may end in Love, & y^e^ p^r^servation of ffriendship amongst Neighbo^rs^

1672 Nov. 28

Yo^r^ Brother presses mee for a Determinac̃on concerning the Regulac̃on of the Indyans Affayres, it being discourst of at the Assizes, & referr'd to M^r^ Delavall for his Advice in it, but hee having ever since been at Albany, & but newly returnd I have not had an Opportunity to discourse it thorowly w^th^ him, & indeed I am the more willing to forbeare till I receive some light from you; ffor since y^e^ Scene of that Affayre lyes properly amongst you I would willingly

G. E. 4: 240 (NYSL)

1672 Nov. 28

reccive some Directions from you before I make a finall Determination in that Affayre; To conclude both Reyner & yo[r] Brother seemd on the paym[t] of the Townes Benevolence to hint some Privilegdes you expected for that Place; to w[ch] I can make noe other Answer, but wonder at yo[r] impatience, since you have rep[r]sented that Affayre (without my Privity) to his Royall Highness to think I can doe any thing without his Direction. I am

Yo[r] Affectionate ffriend
Fran: Lovelace.

I understand there is a Vessell design'd for yo[r] parts of a very considerable Cargoe; if his Mã[ties] Offic[rs] of the Custome shall have Occasion of yo[r] Assistance, I doubt not but yo[u] will afford it them.

No. LXXXVI.

ALBANY — MURDER OF JOHN STEWARD, OF THE GARRISON, BY INDIANS.

G. E. 4: 248 (NYSL)

Lett[r] to Cap[t] Salisbury. Jan[ry] 27[th] 1672. about the Murtherers.

Dear Salisbury

1672/3 Jan. 27

The dismall Narrative of Stewards Death affected mee very much, though I was not much out of my Prognostick, that hee would dye some violent death, yet I little thought by the hands of Villanous Infidells; I very well approve of

G. E. 4:248 (NYSL)

1672/3 Jan. 27

yo[r] care & circumspection in y[e] apprehending of them, & am noe less gladd of the Tidings of their apprehension at M[r] Pincheon's, to whom (by a monthly Post I have sent up to Boston) I have return'd him hearty thanks for the great Service hee has done in the apprehending of them, whereby the peace of the Nation is soe much concern'd when this comes to you you will with it receive a Commission of Oyer & Termin[r] to try them according to Law. M[r] Nicolls will furnish you w[th] a Modell as to the formality of it; It has been resolv'd by mee & the Councell, this way to bee the most effectuall way, because not only consonant to our Lawes & practice, but the Pomp & solemnity commonly strikes as a great a terror in Spectato[rs] as to y[e] Malefacto[rs]; The time of the Courts sitting cannot bee long, & therefore it will bee advantagiously necessary that Cap[t] Renslaer draw his Troop together to attend the Solemnity of that day; Commend mee to him & excuse my not writing to him at this time, & desire him to prepare mee two hundred Plancks w[th] the first, but they must bee good because it is for a Case for my own House; here is little newes stirring, but expect by the returne of the Post from Boston Tidings of considerable consequence; I shall not need to prompt you to bee vigilant in your Station, knowing your aptness to it by experience, only if the Game should shift & wee and Holland shake hands, you then may finde the ffrench a formidable Enemy; but these things cannot bee done in the Dark, & therefore I shall bee vigilant to give you Advertizem[t] of all y[e] Revolutions that arrive my hand; I have at this time noe more, but commend mee heartily to all our ffriends, especially yo[r] wife, & little ffranck. I assure you I am

Yo[r] very Loving ffriend

Fr: Lovelace.

Fort James y[e] 27[th]
Jan[ry] 1672.

G. E. 4: 249 (NYSL)

Commission of Oyer & Terminer for the Tryall of the Murtherers of Jn° Steward at ffort Albany.

1672/3 Jan. 28

Whereas not long since his Mãtⁱᵉˢ peace hath in a very high nature been violated & broken wᵗʰin the Jurisdiction of the Towne of Albany, whereby John Steward one of his Mãtⁱᵉˢ good Subjects hath been assaulted, & by some murtherous & violent means done unto Death, & his House also robbed, of the wᶜʰ two North Indyans, the one commonly known by yᵉ name of Kalcop, & t'other Keketampe, now Prisonʳˢ in Hold stand suspected & are accused to bee guilty of the same; To the end yᵉ due course of Justice may in these his Mãtⁱᵉˢ Dominions and Territoryes bee equally & duely prosecuted according to Law, from the wᶜʰ neither Indyan nor Christian is to bee exempt, but are accomptable to Authority for the Breach thereof. I have thought fitt to nominate, constitute, & appoint, & by these pʳsents doe hereby nominate, constitute, & appoint Capᵗ Silvester Salisbury Deputy Governoʳ & Schout at Albany, Capᵗ Jeremias Van Renslaer, together wᵗʰ the whole Court of Commissaryes, & all the Commission Officers of the Militia within the pʳcincts of Albany, Renslaers-wijck, or Schanechtide to bee Commissioners of a Speciall Court of Oyer & Terminʳ (of whom Capᵗ Salisbury is to bee President) to meet together some certaine time by the said Commissionʳˢ to bee appointed within the space of six dayes after this Commission shall come to their hands (if the Malefactoʳˢ bee there in Custody) otherwise upon their Arrivall, to examine, enquire into hear & determine the Matter of ffact concerning yᵉ Murder or Death of the said John Steward, & that the said Commissionʳˢ or major part of them, of the wᶜʰ yᵉ Presidᵗ is to bee one, doe putt the said two Indyan Mur-

therers upon their Tryall by the Bench or Court; & for y^e better knowledge & clearing of the truth, they are hereby authoriz'd to call before them by Sub-pœnâ or Summons such persons who can give in Evidence against y^e Prison^rs for our Soveraigne Lord the King, concerning y^e said Murder, & them to examine upon Oath or otherwise; w^ch Oath they are hereby empowered to give, & upon Conviction of the Delinquents, if they shall bee found guilty by the Court, that they proceed to Sentence, & Ord^r Execuc̃on to bee done upon them as in the Ord^r of Councell is sett forth according to the haynousness of the ffact, & the Lawes in such Cases provided. And for what the said Commissioners shall lawfully Act or doe in prosecution hereof, This my Speciall Commission of Oyer & Terminer shall bee to them and every of them a sufficient Warrant & Discharge. Given under my hand & Sealed w^th the Seale of the Province at ffort James in New Yorke this 28^th day of January in the 24^th yeare of his Mã^ties Reigne Annoq̃ Domini 1672.

[Francis Lovelace.]

G. E. 4:249 (NYSL)

1672/3 Jan. 28

No. LXXXVII.

FOX-HALL MANOR AND CAPTAIN THOMAS CHAMBERS.

A Priveledge granted to Cap^t Thomas Chambers, for y^e Erecting ffox-Hall into a Manno^r

G. E. 4:216 (NYSL)

Francis Lovelace Esq^r &c: Whereas Cap^t Thomas Chambers Justice of the Peace at Esopus hath been an aun-

1672 Oct. 16

G. E. 4:216 (NYSL)

1672 Oct. 16

cient Inhabit^t in those parts, where hee hath done signall & notable Service in the time of the Warrs against the Indyans, & having by his Industry in the time of Peace acquired a considerable Estate, of which hee now stands possest, Amongst the rest having a Mansion house not farr from the Towne of Kingston commonly called ffox-Hall, with a great Tract of Land thereunto belonging, w^ch said House is made defensible against any suddain Incursion of y^e Indyans or others; In acknowledgm^t of the Services heretofore done by the said Cap^t Thomas Chambers, & in part of recompence thereof, I have thought fitt to Erect the said Mansion House called ffox Hall & Land belonging to it into a Manno^r, to bee known by y^e name of the Manno^r of ffox-Hall, the w^ch shall for the time to come bee held, deemed, reputed, taken, & bee an entire enfranchized Manno^r of it selfe, & shall allwayes from time to time have, hold, & enjoy like & equall priveledges with other Manno^rs within the Governm^t, & shall in noe manner or any wise bee under the Rule, Ord^r or Direction of any Towne Court, but by the Generall Co^rt of Assizes, or as from time to time y^e said Cap^t Chambers shall receive Ord^rs or Directions from y^e Governo^r & his Councell. Given under my hand & Seale at ffort James in New Yorke this 16^th day of Octob^r in y^e 24^th year of his Mã^ties Reigne, Annoq̃ Domini 1672.

[Francis Lovelace.]

No. LXXXVIII.

NEW YORK CITY — BENJAMIN JOHNSON, THOMAS FAULX AND ROGER ESSEX, PRISONERS.

Commission of Oyer & Termin^r for y^e Tryall of Benjamin Johnson, Tho: ffaulx, & Roger Essex. G. E. 4:245 (NYSL)

Francis Lovelace Esq^r &c:

To y^e Commission^rs of Oyer & Terminer herein menc̃oned.

Whereas severall Thefts & Larcenyes have of late been 1672/3 Jan. 11
co̅mitted as well within this City & p^rcincts as parts adjacent, of the w^ch Benjamin Johnson & two of his Complices here under named are accused, & at present remaine in Custody of the Sheriffe of the City in y^e Common Prison, & the usuall time of holding the Court of Assizes (at the w^ch all such ffelonyes & Capitall Crimes are properly to bee tryed) being at soe great distance of time that it will not bee thought convenient to deferr the Execution of Justice soe long; I have therefore with the Advice of my Councell thought fitt by this my Speciall Commission of Oyer & Terminer to Nominate, Constitute, Authorize, & Appoint, & by these presents doe nominate, constitute, authorize, & appoint M^r Jn^o Laurence Mayo^r of this City, Thomas Lovelace Esq^r Justice of y^e peace, M^r Oloffe Stevens Van Cortlandt, M^r Cornelis Van Ruijven, Deputy Mayo^r, Cap^t Jn^o Manning High-Sheriffe of Yorkshire upon Long Island; & Justice of the peace, M^r Isaack Bedloo, M^r Johannes De Pijester, M^r W^m

G. E. 4: 245 (NYSL)

1672/3 Jan. 11

Darvall & Mr ffrancis Rombout Aldermen, & Capt Dudley Lovelace, or any seaven of them, (the Mayor as President being one) to bee a Court to meet together & sitt upon Wednesday ye 15th day of this instant Month at the State house in this City, then & there to call before them the Offendrs now in Hold upon ye suspition & Accusation aforesaid, or any other person or persons suspected to bee their Complices & guilty of those Crimes, as also all or any such Wittnesses who can give in Evidence or Testimony touching the Premisses, to whom they may administer an Oath for the discovery of the Truth, wch Oath they have hereby power to give; And the said Offenders to try by a Jury of twelve able & good Men, as also to pronounce Sentence against those who shall bee found guilty, & command the same to bee putt in Execution according to due course of Law in such Cases provided. And there being likewise now in hold one William Douglas who for diverse evill Acts & disturbance of the peace of the Governmt was heretofore after some time of Imprisonmt ordered to bee sent away our of these his Royal Highness Territoryes, not to returne againe under a certaine penalty; yet notwithstanding hee hath presumed soe to doe, for the which & also upon the suspition of his raysing new troubles hee hath been sent a Prisoner from Delaware hither; the said Commissioners are likewise to call the said Douglas before them, & to examine into the Matter & to proceed against him as a Disturber of his Mãties peace, & also sentence him (if found guilty) according to his Demeritts; ffor the doeing of all wch this my Speciall Commission shall bee unto all & every ye said Commissioners a sufficient Warrant; And all persons are hereby required to give unto ye said Commissionrs the due respect & observance of a Speciall Court of Oyer & Terminer constituted by Authority of his Royall Highness; & to bee ayding & assisting unto

them in the prosecution of this my Commission as need shall require; w^ch^ said Commission is to last & bee of force untill Thursday the 16^th^ day of this Month & noe longer. Given under my hand, & Sealed w^th^ the Seale of y^e^ Province at ffort James in New Yorke this 11^th^ day of Jan^ry^ in the 24^th^ yeare of his Mã^ties^ Reigne, Annoqꝫ Domini 1672. G. E. 4: 245 (NYSL) 1672/3 Jan. 11

[Francis Lovelace.]

The Names of y^e^ other two Complices are ———— Thomas ffaux and Roger Essex.

Directions for the holding of the [Speciall] Co^rt^ of Oyer & Terminer, appointed by his hono^r^ the Governo^r^ for the Tryall of Benjamen Johnson, Thomas ffaulx, & Rogers Essex for Felony, as also of William Douglas for Misdemeano^r^ & breach of his Obligacõn the 15^th^ day of January. 1672. Col. MSS. 22: 124 (NYSL)

[Upon] the meeting of the Co^rt^, The Clarke is to c[all upon] [th]e Cryer to make Proclamacõn, & say O Yes, O Yes, [O] Yes. Then let him say aloud after the Clar[k]e [s]ilence is comãnded in the Co^rt^ whilst his Ma^ties^ Co[mission^rs^] of Oyer & Terminer, are sitting, vpon paine of imprisonment. 1672/3 [Jan. 11]

Then the Clarke is to read aloud, The Comission [o]f Oyer & Terminer. & after that to call over disti[nctly] the names of the Comission^rs^, who as they are called are [to] stand vp & make answer to their Names, If any [s]hall bee absent the Clarke is to Record the Default

Col. MSS. 22:124 (NYSL) [Le]t the three Prison[rs] Benjamen Johnson, Thomas Fa[ulx,] Roger Essex bee then call'd for to the Sheriffe, to bee [bro]ught to the barre

1672/3 [Jan. 11] [T]he which being done The Clarke is to bid the Cry[er] [ag]aine to make Proclamac̃on, & say as before O Yes,

Then let him say aloud after the Clarke.

[All] manner of ℔sons, who have been sum̃oned, or have any thi[ng he]re at this speciall Co[rt] of Oyer & Terminer, & can give Evidence for our soveraigne Lord y[e] King, ag[st] any [of] the Prison[rs] at y[e] Barre, Draw neare & give yo[r] attendance

Whereupon the Clarke is to make Enquiry of the Sheriffe [for] the Returne of a Jury for the Tryall of the Prisone[rs] [a]t the Barre.

[U]pon Returne of the Juro[rs] names, then proceede to empa[nnel]l the Jury, by calling over their names, the which done, of the whole lyst returned, & the Clarke is to [record ?] the Defaults of Non-Appearance, who are to bee fined

After that twelve of the Numb[r] shall bee pitcht Let them bee called over by the Clarke, The Cryer talle[y] them, One, two, &c̃.— Good men & true;

Before the Jury is sworne Call for the Pri[soners] to bee sett to the Barr Then say to the Prisoners. These good men who [were] last called are to passe vpon yo[r] lives & deaths, so if you or any of you have anything to object against t[hem why] they should not bee sworne, Challenge them as they come [to the] booke, & you shall bee heard, for that afterwards [it will] bee too late.

Vpon any of y[e] Prison[rs] Lawfull Exception against any another of those returned is to bee put in his place, & [none] of y[e] ℔sons returned are to bee dismist, or depart the [court] vntill the Jury bee compleated.

Then sweare the Jury according as in y^e^ law bo[ok] is directed for life & Death, bidding the Juro^rs^ as [the] Oath is read to them to looke vpon the Prisoners at th[e barre] Col. MSS. 22:124 (NYSL)

Then let the Clarke bid the Cryer to make O Yes, & say. Allard Anthony Sheriffe of th[e Citty] of New Yorke come into Co^rt^ & prosecute Benj[amen] Johnson, Thomas ffaulx & Roger Essex on the be[half] of o^r^ Soveraigne L^d^ the King, about certaine Thef[ts and] Felonyes co̅mitted by them, for y^e^ w^ch^ they stand here Vpon his Appearance, hee is to put in the Prese[ntment] ag^st^ all the three prisoners. which is to bee read. Then let Benjamen Johnson alone sett to the Barre. Then call to y^e^ Jury & say Gen̅. of y^e^ J[ury] Looke vpon the Prisoner you that are sworne. 1672/3 [Jan. 11]

Then say

Benjamen Johnson hold vp thy hand, when hee hath held vp his Right hand, Read the Endictment.

Benjamen Johnson &c

Then Benjamen Johnson what sayest thou A[rt thou] Guilty of the Thefts & ffelony whereof thou standest endicted, or not Guilty

If hee plead not Guilty Aske

By whom wilt thou bee tryde.

If hee say By God & the Countrey (The usuall words)

Then say: God send thee a good deliverance. So proceed to Tryall, By calling for the wittnesses & Examina c̅ons, wherein Note that the other two wit[nesses] are to be admitted in Evidence ag^st^ the prisoner, before they are convicted, but not after.

The wittnesses are to take the Oath in the Law sett for[th]

Then the Prisoner hath liberty to plead for him[sel]f

After all the President is to give a Charge to the Jury, who then are to retire by themselves & the Prisoner to bee returned to his place.

Col. MSS. 22: 124 (NYSL)

Endorsed:

The Pap^rs about the Tryall of Ben: Jonson Thom: Faulx, & Essex. 16 Jan^ry 1672.[1]

1672/3 [Jan. 11

Col. MSS. 22: 127 (NYSL)

[Panel of Jurors.]

[1672/3 January]

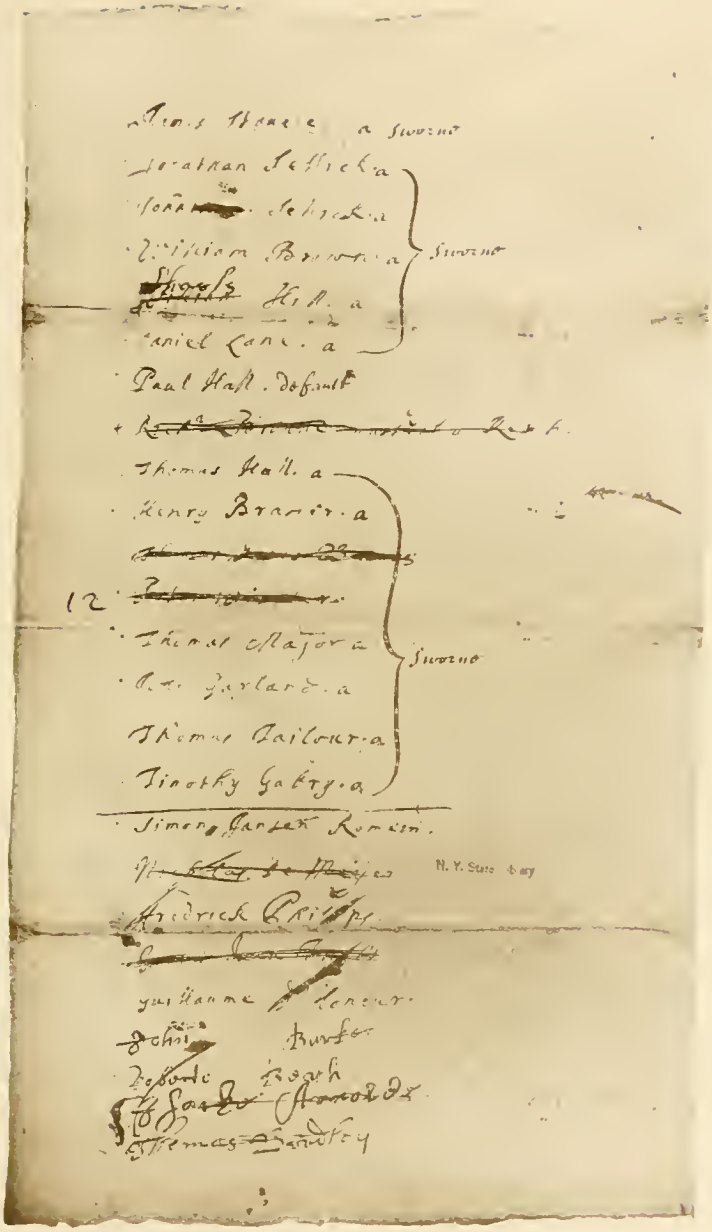
James Staneley a Sworne
Jonathan Sellick. a
John Sellick. a
William Browne a } Sworne
Charls Hill. a
Daniel Lane. a
Paul Hall. default
Rich^d Browne mast^r of a Ketch[2]
Thomas Hall. a
Henry Brasier. a
Thomas Davis Barns
12 *Peter Winne?* } Sworne
Thomas Major a
John Garland. a
Thomas Tailour. a
Timothy Gabry. a

Simon Jansen Romain.
Nicholas De Meijer
ffredrick Philips.

[1] Accompanying this endorsement is the following (now mutilated) note, viz: — " ffor [*torn*] the Court 1672 All manner of persons who have beene summoned, or have given their Attendance at this Speciall Co^rt of Oyer & Terminer, are now dismist, the Court being dissolv'd. God save the King."

[2] Names italicized are scored out in the manuscript,

Opposite p. 766.



AN EARLY JURY PANEL.

(Reduced from 12½ by 7¼ inches.)

Gerrit Van Tright Col. MSS. 22:127 (NYSL)
Guillaume D'Honeur.
John Barker
Roberte Beach [1672/3 January]
Isacke Arnolde
Thomas Bradley

Endorsed: The Juro^rs^ names.

[Indictment of Benjamin Johnson.] Col. MSS. 22:126 (NYSL)

The Indictment.

Benjamin Johnson, thou standest here indicted by the name of Benjamin Johnson of y^e^ City of New Yorke, for that having not the feare of God before thine Eyes, but being instigated by the Devill, thou didst upon the 21^th^ day of December last, or there about, advise & abett Thomas ffaulx & Roger Essex wickedly & feloniously to goe on board the Bo[at] of Capt. John Baker in the night time, riding in this [Harbour] then & there to cutt the Rigging, Sayles, & other Cordage [belonging] to the said Boat, who did carry them away in a Canoo [w^ch^] they likewise stole, & at two severall places more did th[en] also by the way steal diverse Plancks, or Deal-Boards the w^ch^ they did all carry to thine House, who wert not only an Abettor of the Theft but a Receiver of the stollen Goods, & didst likewise endeavour to conceale the same. Thou stand'st likewise here endicted for that upon y^e^ 19^th^ day of the said Month or some time thereabout, thou didst together w^th^ the said Thomas ffaulx & Roger Essex thy Complices, in two Canooes goe up the River to the Towne of Westchestr, from whence & parts adjacent thou didst together w^th^ thy said Complices feloniously & privily take & carry away five Hoggs belonging to y^e^ Inhabitants [1672/3 January]

Col. MSS. 22: 126 (NYSL)

[1672/3 January]

there, & foure of them didst brin[g] to thy House; As also that some time heretofore thou didst feloniously take out of a Boat lyeing at Allertons Key the Smiths Valley w^th^in the p^r^cincts of this City, & carry aw[ay] a piece of Kersey, or wert a Contriver or Abetto^r^ of y^e^ [same] to the great Damage of the right Owner; And also tho[u] didst steal or wert an Abetto^r^ or Receiver^r^ of a piece of [*torn off*] & a Trowell stoln from the House of Cap^t^ Thomas De[lavall] at or near about the holding the Last Gen^all^ Co^rt^ of Ass[izes] And also didst thy selfe in person or by one of thy Compli[ces] not long after the said time feloniously take out of the House of M^r^ John Rider a Blanckett, & carry the same away, and severall other Thefts, Larcenyes, & Robberyes hast committed against the peace of our Soveraigne Lord the King, & against the Lawes of this Governm^t^ in such Cases provided.

Benjamin Johnson what say'st thou? Art thou guilty of the ffelony laid to thy Charge, or not guilty?

Endorsed:
Benjamin Johnson
his Indictm^t^

Col. MSS. 22: 124 (NYSL)

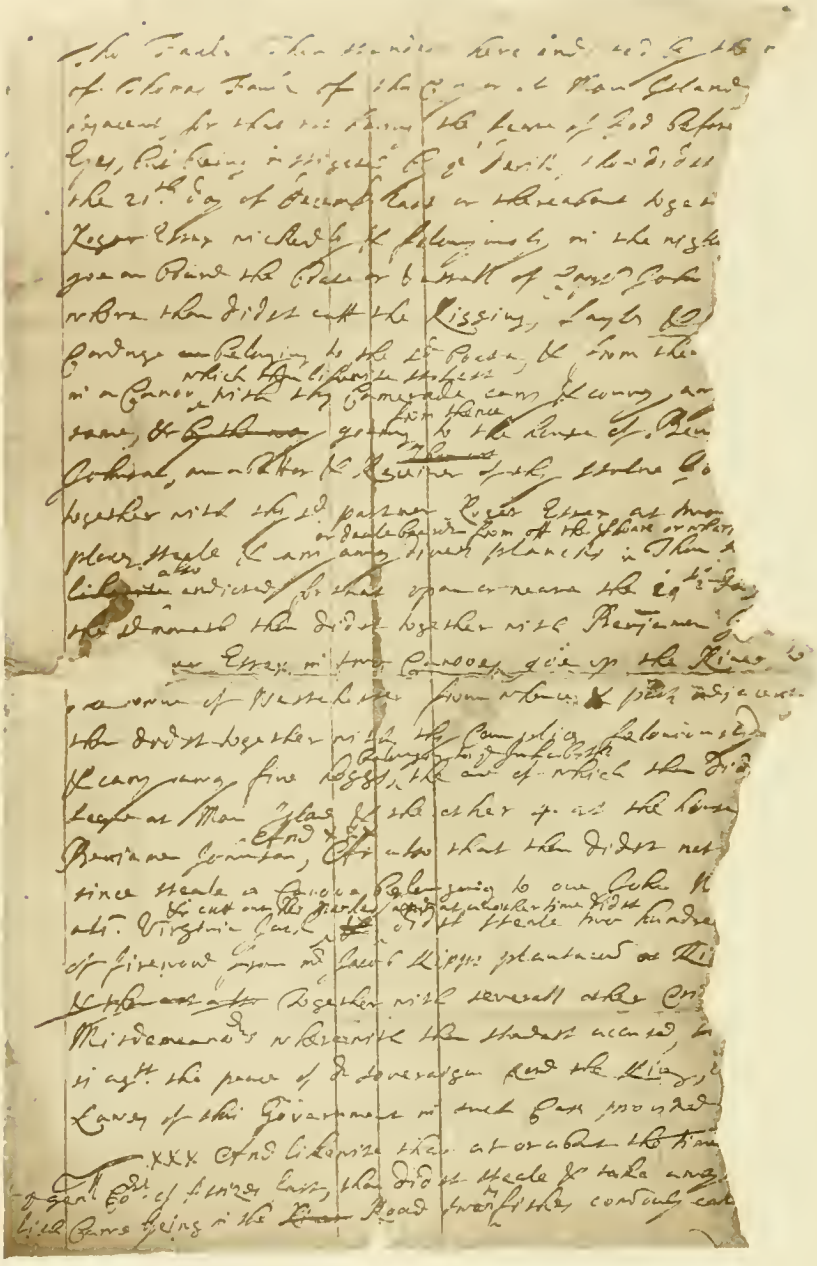
[1672/3 January]

[Indictment of Thomas Faulx.]

Tho: Faulx, Thou standest here endicted by the [name] of Thomas Faulx of this City or of Man [1] Island adjacent, for that not having the feare of God before [thine] Eyes, but being instigated by y^e^ Devill, thou didst [upon] the 21^st^ day of Decemb̄ last or thereabout toget[her with] Roger

[1] Hog Island, granted by Governor Nicolls to Captain John Manning in February, 1668, and hence often called in early times Manning's Island, but now the well known Blackwell's Island, in East River. Faulx was a servant of Captain Manning.

Opposite p. 769.



FORM OF INDICTMENT OF THOMAS FAULX.

(Reduced from 12¼ by 8½ inches.)

Col. MSS. 22:124 (NYSL)

[1672/3 January]

Essex wickedly & felonyously in the night [time] goe on board the boate or Vessell of Capt̃ John [Baker] where thou didst cutt the Rigging, Sayle & [other] Cordage belonging to the s^d^ boate, & from the[nce] in a Canoo which thou likewise stolest with thy Comerade carry & convey aw[ay the] same, & goeing from thence to the house of Ben[jamin] Johnson, an abettor & Receiuer of thy stolne Go[ods] together with thy s^d^ partner Roger Essex at two [severall] places steale & cary away diuers plancks or deale boards from off the shoare or warf[e]. Thou s[tandest] also endicted for that vpon or neare the 19^th^ day [of] the s^d^ moneth thou didst together with Benjamen J[ohnson and Rog]er Essex in two Canooes goe vp the River to the towne of Westchester from whence & parts adjacent thou didst together with thy Complice feloniously [take] & cary away five hoggs belonging to y^e^ Inhabit^ts^ the one of which thou did[st] leave at Man Island & the other 4 at the house [of] Benjamin Johnson, And likewise that at or about the time of y^e^ gen^ll^ Co^rt^ of Assizes last, thou didst steale & take away a fish Carre lyeing in the Road twenty fishes cõmonly call[ed] [*torn*] fish. As also that thou didst not [*torn*] since steale a Canoe belonging to one John N [*torn*] alˢ Virginia Jack & cutt out her Marke and at another time didst steale two hundre[d] [*torn*] of firewood from m^r^ Jacob Kipps plantac̃on at Ki[pps Bay] together with severall other Cri[mes and] Misdemeano^rs^ wherewith thou standest accused, t[he which] is ag^st^ the peace of o^r^ soveraigne Lord the King, [& the] Lawes of this Government in such Cases provided

Endorsed:

Thomas Faulx his
Indictment.

[49]

Col. MSS. 22:125 (NYSL)

1672/3 Jan. 15-16

At a Speciall Co:rt of Oyer & Termin:r appointed by his Hono:r y^e^ Governo:r to sitt upon y^e^ Tryall of Benjamin Johnson, Thom: ffaulx, & Roger Essex, now in Custody for diverse Thefts & Larcenyes, whereof they are accused

Aforenoone.

After opening y^e^ Court, & empannelling y^e^ Jury Ben Johnsons Indictm:t was read, to w^ch^ after a long p[ause] hee plead[ed] not guilty. but upon Examinac̃on of the Matt:r & the Testimonyes of Thomas ffaulx & y^e^ Boy Essex, [hee] was prov'd guilty of being privy to y^e^ Sayle, & pl[anks]

The ffact about the Hoggs hee confesses.

The Blanckett hee a long time deneyed, fathering it upo[n] ffaulx; but being evidently prov'd against him, hee at la[st] confesseth it.

Something hee was taxt w^th^, more then what was in [the] Indictm:t viz:t of a parcell of Lynnen stolne at Harlem, [w^ch^] hee hid (as they were wett) under his Bed, the w^ch^ [a] Maid having formerly made known to Margery, s[he] upon her Oath declar'd all the Passage to the Court [upon] whose Testimony, & other apparent Circumstances h[ee was] found somewhat guilty therein. but not absolutely pr[oven]

The rest hee utterly denyes.

Soe the Charge being given to y^e^ Jury by y^e^ Presid:t [the] Prison:rs are recommitted, & the Jury goe out upon [their] Verdict. the w^ch^ is to be brought in in y^e^ Afternoon[e] till w^ch^ time y^e^ Co:rt adjournes.

Afternoone.

The Jury bring in their Verdict, & finde him guilt[y]

The Sheriffe gives in an Inventory of his Goods & Chatte[ls]

The Prisoner recom̃itted to y^e^ place from whence hee came.

Col. MSS. 22:125 (NYSL)

1672/3 Jan. 15-16

Thomas ffawlx brought up, & the Indictm^{t} read, hee pleads guilty to all the Thefts hee is chargd wth, but one, & that is the Canooe; of w^{ch} hee seems very fairly to clear himselfe, though only by his own Alligac̃ons.

Hee is recom̃itted to y^{e} Custody of the Sheriffe.

Roger Essex is call'd up, his Indictm^{t} read, to w^{ch} hee pleads guilty.

hee is recommitted. & the Jury dismist.

The People are ordered to wthdraw, & the Court consult about the punishm^{t} of y^{e} Criminalls.

It's putt to y^{e} Vote what Punishm^{t} to bee inflected.

Cap^{t} Lovelace for Ben: Johnsons punishm^{t} votes for whipping. 39 Lashes.

M^{r} ffran: Rombout, votes for whipping 39 Lashes wth a Halter about his Neck, as a punishm^{t} for all the Thefts but y^{e} hogg stealing, & for that Crime of y^{e} Hoggs to lose one of his Ears, according to y^{e} Ord^{r} of y^{e} last Co^{rt} of Assizes.

M^{r} Darvall. y^{e} same & Banishm^{t}

M^{r} Depijester y^{e} same & Banishm^{t}

M^{r} Bedloo. y^{e} same & Banishm^{t}

M^{r} Van & Ruyven [*sic*] M^{r} Lovelace, & President the same. Soe as tis agreed by y^{e} Co^{rt} hee shall have 39 Lashes wth a Haltar about his Neck, one of his Ears cutt off & suffer Banishm^{t} (not to returne into y^{e} Governm^{t} againe upon paine of Death.)

ffor y^{e} Punishm^{t} of Thom: ffawlx.

Cap^{t} Lovelace votes a whipping of 5 Stripes.

M^{r} Rombout. 25 Lashes.

M^{r} Darvall y^{e} same, & soe to bee dischargd.

M^{r} DePijester the same.

M^{r} Bedloo. 30 Lashes & Banishm^{t}

Cap^{t} Manning 25 & Banishmen^{t}

Col. MSS. 22:125 (NYSL)

Mr Van Ruyven 30 & Banishmt
Mr Oloff Stevens 20 & Banishmt
Mr Thom: Lovelace 30 & Banishmt

1672/3 Jan. 15-16

The Presidt 25 & Banishmt

Soe that his full punishmt shall bee to receive 25 Stripes & Banishmt out of ye Governmt & in cas[e] hee shall hereafter happen to bee found in this Governmt hee shall loose one of his Ears.

ffor ye punishmt of Roger Essex.

Capt Lovelace votes for 5 Lashes as afore.

Mr Rombout ——— 6
Mr Darvall ——— 10
Mr Depijester ——— 10
Mr Bedloo ——— 10

And all ye rest of ye Comnrs vote the same namely 10 Lashes & upon thy committing any ye least off[ence] of the like nature hereafter thou shalt bee more severely punisht [accor]ding to his [*sic*] Demeritt.

The Cort adjourne till To-Morrow Morning at 9 a Clock Aga[inst] wch time the Sentences of Court are to bee dr[awn] up, & publickly read, after wch is done the Cor[t] bee dissolv'd.

Thursday Morning. ye 16th Janry. 1672.

The Cort opened.

The Prisonrs brought up.

Their Sentences read.

The Prisonrs all fall down upon their Knees, & thank ye Bench for their Clemency.

Soe the Cort was dissolved.

The Commissionrs according to ye tenor of their Commission doe give Order to the Sheriffe that hee see ye Sentences of the Court putt in Execution; only for the time they referr it to his Honors pleasure. Col. MSS. 22: 125 (NYSL) 1672/3 Jan. 15-16

Endorsements:

The Cort Proceedings

The Corts Proceedings against Ben: Johnsons & his Complices.

No. LXXXIX.

ESTATE AND DEBTS OF NICHOLAS DAVIS.

[Acknowledgments of Debts of Nicholas Davis.]

Recorded for Philip Udall at the Request of Mr Elias Doughty, the 16th ffebry, 1672. Deeds 3: 146 (Sec. State)

Know all men by these prsents, That I Nicholas Davis of Barnstable Merchr do acknowledge my selfe indebted unto Philip Udall of fflushing, the full and just Sume of Sixteen pounds in New England Silver, to bee paid unto the said Philip Udall, or his Order, on demand, which is for a Parcell of Land, once Walter Salter Ordered him for Debt;[1] Which the said Philip, or his Attorney, doth engage on Payment of the said moneys, to give unto the said Davis, or his Attorney a full Confirmacon of the said Lands, graunted him from the said Court, or Order of the Genall; And unto the said prem- 1669 Apr. 30 etc. Recorded 1672/3 Feb. 16

[1] See New Amsterdam Records, vol. 6, pp. 24, 41, 45.

Deeds 3: 146 (Sec. State)

isses, I do binde my selfe, my Heires, Executo[rs] and Assignes, as witnes my hand, this 31[th] [*sic*][1] of the 2[d] Moneth, 1669

Nicholas Davis

1669 Apr. 30 etc.

Witnes,

John Bowne

Recorded 1672/3 Feb. 16

The marke of T D Tho: Davis.

Rec[d] of this Bill in Silver, y[e] Sum̃e of three pounds ten Shillings, as witnes my hand, y[e] 31[th] [*sic*] of y[e] 2[d] Moneth 1669.

The marke of X Willm ffoster.

Know all men by these p[r]sents, That I Nicholas Davis of Road Island, do acknowledge myselfe indebted unto Philip Udall of fflushing, the Sum̃e of Eight pounds, in Boston Silver, on all demands, to the w[ch], I do binde my selfe, my Heirs, Ex[rs], or Assignes, as witnesse my hand, this 22[th] of the 11[th] Moneth, 1671.

Nicholas Davis

Teste. Frans Bloet Goet, Robert Howley.

Deeds 3: 82 (Sec. State)

[Acknowledgment of Deed by Nicholas Davis, etc.]

Recorded for D[r] Henry Taylour. ffeb[ry]. 24[th] 1672

Boston in New England the 26[th] day of Aprill 1671.

1671 Apr. 26 etc.

Know all Men by these p[r]sents, that I Nicholas Davis Merch[t] of Rhoad Island in New England, doe acknowledge

Recorded 1672/3 Feb. 24

my selfe to have Bargained & sold unto Henry Taylour of Boston Chyrurgion in the Colony of the Massathusetts in New England atores[d] a certaine ffarme in the Township of Barnstable in the Colony of Plymouth in New England; to say, with two dwelling Houses, one Warehouse, & one

[1] Apparently "31[th]" is due to inadvertence, as the second month is April.

Barne or Stable, w^th^ all Lands, Priveledges, Meadowes, Commons, Wharfes, Creeks, Water-Courses, w^th^ all other Priveledges thereunto belonging or appertaining as by a Deed of Sale from the Indyan Owners granted him & confirmed by the Order of the Governo^r^, & under the Clarkes hand & Seale, w^th^ six Milch Cowes, twenty Ewes, two Steares about three or foure yeares old, ten Swine, one Mare with all the Carts, Plow, Yoak, or Yoaks w^th^ Chayne, or whatever is belonging to the ffarme at this day, as pertaining to Cattle, Carts, or ffurniture; & further the said Davis doth promise & engage to deliver & give possession unto the said Taylour or his Order at or before the twenty fifth day of September next, & to have Liberty to mow upon y^e^ same, when the said Taylour pleases; And the abovesaid Davis doth farther Promise & engage to deliver unto the abovesaid Taylour a Deed of Sale acknowledged by him before a Magistrate, & his wife giving up her Thirds before a Magistrate, with all other Writings concerning the same whatsoever, which is in Consideracõn of a Bond of Eight hundred & fourty pounds, due Debt the Sume of foure hundred & twenty pounds, w^ch^ the said Davis acknowledgeth to have received in full Satisfaction of the above^d^ Premisses; In consideracõn whereof the said Davis, his Heyres, Executo^rs^, Administrato^rs^, or Assignes doth promise & engage to make good the abovesaid Premisses unto y^e^ abovesaid Henry Taylour his Heyres & Assignes forever. In wittness whereof I have hereunto sett my hand & Seale the day & yeare above written.

Deeds 3:82 (Scc. State)

1671 Apr. 26 etc.

Recorded 1672/3 Feb. 24

Nicholas Davis (Seale)

Signed, Sealed, & Delivered
in presence of
Hugh Drury
Henry Thompson.

Deeds 3:82 (Sec. State)

1671 Apr. 26 etc.

Recorded 1672/3 Feb. 24

Hugh Drury & Henry Thomson Witnesses to the Instrum^t above appeared y^e 4^th of September, & made Oath, that they see Nicholas Davis signe, Seale, & Deliver y^e same as his Act & Deed. Done before mee in Boston.

Jo: Leverett. Dep: Gov^r

Whereas the within menc̃oned Agreem^t was to bee Compleated, & Possession given of the Premisses was to bee upon the 25^th of Septemb^r 1671. upon some farther Considerac̃on by mee Henry Taylour I doe Agree to lett Nicholas Davis have the use of all the within menc̃oned Premisses for the Terme of one whole yeare from the day of the Date hereof; The said Davis is to Warrant all the Premisses, & to pay at the end of the yeare ten pounds in Cattle at the ffarme as they shall be valued by two indifferent persons. That this is our Collaterall Agreem^t Wittness both our hands in Boston y^e 25^th of Sep^t 1671.

Henry Taylour
Nicholas Davis.

Wittnesses
W^m Tailer
James Gundry.

William Taylour one of the Wittnesses to the Agreem^t above signed by Henry Taylor & Nicholas Davis appeared before mee the 4^th of September 1672. & made Oath hee see them to signe the same. Done before mee in Boston.

John Leverett. Dep: Go^r

Deeds 3:83 (Sec. State)

1671 Apr. 26 etc.

Recorded 1672/3 Feb. 24

A bond from Nicholas Davis to D^r Taylor.

Know all Men by these p^rsents that I Nicholas Davis Merchant of Rhode Island in New England doe acknowledge my selfe to owe & bee indebted unto Henry Taylor of Boston Chyrurgion in the Colony of the Massathusetts in New

Deeds 3: 83 (Sec. State)

1671 Apr. 26 etc.

Recorded 1672/3 Feb. 24

England aforesaid, the full Sum̃e of eight hun[d]red & twenty pounds in Provisions at Money price, one fourth part Wheate, one fourth Porke, one fourth Pease, & one fourth Indyan Corne, to bee paid unto the said Taylor his Heyres, Executors, Administrators, or Assignes upon Demand at his House or Warehouse here in Boston, for w^ch^ payment well & truely to bee made & performed, I doe binde my selfe my Heyres, Executors & Administrators firmly by these presents. In Wittness whereof I have hereunto sett my hand & Seale this 26^th^ day of Aprill 1671.

The Condic̃on of this Obligac̃on is such, That if the above-bounden Nicholas Davis his Heyres, Executors, & Assignes doe deliver or cause to bee delivered unto the above-named Henry Taylour his Heyres, Executors, Administrators, & Assignes, a Deed of Sale according to an Obligation or Agreem^t^ made the 26^th^ day of this present Month of Aprill 1671. in w^ch^ will more plainly appeare, That then this p^r^sent Obligac̃on to bee void & of none Effect, or else to remaine in full force, power, & vertue. As wittness my Hand & Seale this 26^th^ day of Aprill 1671.

Nicholas Davis. (Seale)

Signed, Sealed, & Delivered
in the presence of
Hugh Drury
Henry Thomson.

Hugh Drury & Henry Thompson appeared the 4^th^ of Septemb^r^ 1672. & made Oath that they see Nicholas Davis signe, seale, & Deliver the above-written as his Act & Deed. Done in Boston before mee —

Jn^o^ Leverett. Dep: Gov^r^

Deeds 3 : 147 (Sec. State)

[Contract of Sale between Philip Udall and Nicholas Davis.]

1671/2 Feb. 15

Recorded for Philip Udall, at the Request of Mr Elias Doughty, the 16th February 1672.

Recorded 1672/3 Feb. 16

Know all men by these prsents, That I Philip Udall of fflushing, have Bargained and sold unto Nicholas Davis of Road Island Merchant, all my right, Title and Interest, of all the Meadow that belongs to mee in fflushing; In consideration hereof, the said Nicholas Davis is to pay, or cause to bee paid, unto the above said Philip Udall, the full and just Sume of twenty five pounds in Silver, to bee paid at or before the 14th day of ffebruary next ensuing; And for the true performance hereof, the aboue said Nicholas Davis doth make over unto the said Philip Udall, one of his Houses in Smiths fflye in New Yorke, either John Cope-all's House: And for non performance of the above said premisses, the above said Davis is to Pay ffifty Shillings the yeare, for every yeares non-Payment; And for the true performance hereof, the above said Davis doth binde himselfe, his Heires, Executors, Administrators or Assignes; In witnesse hereof, wee have here unto set our hands this 15th day of ffebruary, Anno, 1671.

The marke P of Philip Udall.
Nicholas Davis.

Signed in the prsence of
Robert Howley.
Signum
Jane X Clements.

G. E. 4 : 192 (NYSL)

[Certification in favor of Samuel Davis.]

1672 Apr. 21

These are to certify all whom it may concerne that I have given liberty to Mr Samuel Davis to take & make use of

thirty or fourty Plancks or Deale-Boards belonging to his late ffather, now lyeing in the Smiths Valley or elsewhere, to make up his Barne at the White Stone in the Jurisdiction of fflushing, or some other Convenience to secure the Corne or Hay growing upon his Land there. Given under my Hand at Forte James in New Yorke this 21th day of April 1672.

G. E. 4:192 (NYSL)

1672 Apr. 21

[Francis Lovelace.]

[Acknowledgement of Deed by Nicholas Davis.]

Deeds 3:79 (Sec. State)

Recorded for Samuel Davis this 21th day of ffebruary 1672.

To all Persons to whom these Presents shall come I Nicholas Davis of Newport in the Colony of Rhoad-Island & Providence Plantation in New England Merchant & over the good Sloope calld the Dolphin & now riding at Anchor in the Harbour of Newport aforesaid, & of all & singular the Masts, Sayles, Sayling yards, Cables, Anchors, Cords, Roaps, Tackle, Rigging, Apparrell, Munition, Boat, & furniture to the said Sloop belonging in any wise appertaining send Greeting. Know yee I the said Nicholas Davis for & in Consideracõn of one hundred pounds Sterl. unto mee in hand paid before the Enseling & delivery hereof by Samuel Davis of Newport Marriner[1] in the Colony aforesaid, the Receipt whereof I doe hereby acknowledge, have Granted, aliened, Bargained & Sold, & by these Presents for mee my Heyres, Executors & Administrators doe fully, clearly, & absolutely Grant, Alien, Bargaine. Selle, & Confirme unto the said Samuel Davis his Heyres, Executors, Administrators & Assignes forever, the good Sloop called the Dolphin,

1672 June 16 etc.

Recorded 1672/3 Feb. 21

[1] By an inadvertence this is written "Manner" in the original record.

Deeds 3:79 (Sec. State) 1672 June 16 etc. Recorded 1672/3 Feb. 21

& of all singular the Masts, Sayles, & Sayle yards, Cables Anchors, Cords, Roaps, Tackle, Apparrell, Munition, Boate, & ffurniture, to the said Sloop, belonging, or in anywise appertaining; To have and to hold the said Sloope together wth all & singular the Premisses above by these p^{r}sents granted unto him the said Samuel Davis his Heyres, Executo^{rs}, Administrato^{rs} & Assignes, quietly & peaceable to improve, possess, use & behoofe forever; And I the said Nicholas Davis the said Sloop together with all & singular the Premises above by these Presents granted unto him the said Samuel Davis his Heyres, Executo^{rs}, Administrato^{rs}, & Assignes against mee, my Heyres, Executo^{rs}, & Administrato^{rs}, & any other person or persons that shall lay or pretend any Clayme, Right, Interest, or Title in or to the same for one whole yeare and a day will warrant & Defend by these p^{r}sents; Perill of Seas, ffire, & Enemyes only excepted. In wittness whereof I have hereunto sett my Hand & Seale y^{e} sixteenth day of June in the 24th yeare of the Reigne of our Soveraigne Lord Charles y^{e} second King of England &c: Annoq^{3} Domini 1672.

Nicholas Davis. (Seale)

Signed, Sealed, & Delivered in
y^{e} presence of
Thomas Starr,
John Steward.
W^{m} Hedge
the R mark of
Richard Gline.

The 18th day of Septemb^{r} 1672.

William Hedge on his Engagem^{t} solemnly attestheth that this was sealed & signed by Nicholas Davis of Newport lately deceased, or drowned; Attesting further that the said

Nicholas Davis delivered the said Deeds to Samuel Davis his Sonn. Deeds 3:79 (Sec. State)

Attested before mee Nicholas Eastone Gr

1672 June 16 etc.

Thomas Starr one of ye Wittnesses to the Bill of Sale above-written came before mee ye 23th of December 1672. & testifyed upon his Solemne Engagemt that hee saw Nicholas Davis signe, Seale, & Deliver the above-written Instrumt to Samuel Davis, & that hee sett his Name thereto as a Wittness the same day & yeare as is exprest in the same. Recorded 1672/3 Feb. 21

Francis Brinley Assistt

[Acknowledgment of Deed by John Hicks.] Deeds 3:80 (Sec. State)

Another Deed about ye same Recorded for the said Samuel Davis ye day & yeare aforewritten.

1672 June 20

Know all Men by these Presents, That I Jno Hicks of Newport in ye Colony of Road-Island, & Province Plantacon in New England Ship-Wright, & Owner of the good Sloope or Hull called the Dolphin, & now riding at Anchor in the Harbour of Newport aforesaid send Greeting. Know yee that I the said John Hicks for & in consideracon of the Sume of Seaventy five pounds Sterling unto mee in hand paid before the Ensealing & Delivery hereof by Samuel Davis of Newport Marriner in the Colony aforesd, the Receipt whereof I doe hereby acknowledge, have Granted, aliened, Bargained, & sold, & by these Presents for mee my Heyres, Executors, Administrators & Assignes doe fully, clearly, & absolutely Grant, Alien, Bargaine, Sell & Confirme unto the said Samuel Davis his Heyres, Executors, & Assignes forever, the good Sloope or Hull called the Dolphin; To have Recorded 1672/3 Feb. 21

Deeds 3:80 (Sec. State) 1672 June 20 — Recorded 1672/3 Feb. 21

and to hold the said Sloope or Hull by these Presents, Granting unto him the said Samuel Davis his Heyres, Executors, Administrators, & Assignes quietly & peaceably to improve, possess, use, & behoofe forever; And I the said John Hicks the said Sloope or Hull by these prsents granted unto him the said Samuel Davis his Heyres, Executors, Administrators, & Assignes against mee, my Heyres, Executors, & Administrators, or any other person or persons whatsoever Clayming by, from, or under mee will Warrant and forever Defend by these Presents. In wittness whereof I have hereunto sett my Hand & Seale this 20th day of June in the 24th yeare of the Reigne of our Soveraigne Lord Charles the second, King of England, Scotland, ffrance, & Ireland Defender of the ffaith &c: Annoq̃ Domini 1672.

Jnº Hicks (Seale)

Signed, Sealed, & Delivered
in the presence of
James Clarke
Wepon Clarke.

Deeds 3:81 (Sec. State) 1672 June 20 — Recorded 1672/3 Feb. 21

The Receipt about the Paymt Rhoad-Island.

Received of Samuel Davis of Newport Marrinr the full & just Sum̃e of Seventy five pounds Sterling Moneys of New England being in full paymt for the Hull of the Sloope Dolphin according to Agreement; I say receiv'd in full Satisfaction for mee my Heyres, Executors, Administrators & Assignes. As wittness my Hand & Seale this 20th day of June 1672.

Jnº Hicks (Seale)

Wittness
Wepon Clarke
James Clarke.

A Speciall Warr^t of Attachm^t to bee layd upon y^e Estate of Nicholas Davyes to the vallue of 400^li due to Doctor Taylour.

G. E. 4: 182 (NYSL)

1672 Aug. 7

Whereas Docto^r Henry Taylour of this City hath made Comp^tt unto mee that Nicholas Davyes late of his Mã^tyes Colony of New Plymouth deceased, was in his Debt a very considerable Sume of Money, that is to say the Sume of foure hundred pounds & upwards as by his Acco^ts doth appeare; for the securing whereof hee hath requested mee that an Attachm^t may bee laid upon soe much of y^e Goods, Houses, Lands, & Chattells heretofore belonging to y^e said Nicholas Davyes within this Governm^t, & as yett is undisposed of, as will amount unto y^e Vallue of his said Debt; These are in his Mã^ties Name to require you to lay this my Speciall Warrant of Attachment on soe much of y^e Goods, Houses, Lands & Chattells of y^e deceased amounting to y^e Sume aforesaid with incidentall Charges, whether in the Towne of fflushing, at the White-Stone, or any other part of Long Island; of w^ch Notice is to bee given by Docto^r Taylour to such of the Relacons of the said Nicholas Davyes deceased as are like to Administer upon his said Estate in these parts, that they appeare by their Attorney or in person at the next Gen^all Court of Assizes to bee held in this City beginning on the first Wednesday in Octob^r then and there to make Answer or Defence to y^e Comp^tt & Suite of the said Doctor Henry Taylour, of which they are not to faile least Judgment bee entred against them by Default. Given under my Hand & Seale at fforte James in New Yorke this 7^th day of Aug: in y^e 24^th yeare of his Mã^ties Reigne, 1672.

[Francis Lovelace.]

G. E. 4:190 (NYSL)

An Ordr about ye Estate of Nicholas Davyes late of Rhode-Island deceased.

1672 Aug. 14

Whereas Samuel ye Son of Nicholas Davyes deceased hath been recommended unto mee by ye Governor & Councell of Rhode-Island for my Assistance in his taking an Inventory of his late ffathers Estate within this Governmt that ye Creditors may have their just Dues, & ye Remaindr of the said Estate bee disposed of to ye Widdow & ffatherless according to Equity & Right; These are to require all Officrs within this Province & Government, where ye said Nicholas Davis deceased had any Estate to bee ayding & assisting unto the said Samuel Davis in his taking an Inventory thereof, & if hee shall desire the same, that they appoint some able & indifferent Persons to make Apprizement of the Vallue thereof, that hee may the better bee enabled to render that Acco: to ye Councell & his Relacons there as will bee expected from him; And for soe doeing this shall bee their Warrant. Given under my Hand at fforte James in New Yorke this 14th day of August 1672.

[Francis Lovelace.]

G. E. 4:192 (NYSL)

Liberty given to Mr Samuel Davis to carry hence 10 or 12 Bushells Wheat for his Mothers use.

1672 Aug. 21

Permitt & suffer Mr Samuel Davis to ship on board his Sloop the Dolphin of Road Island the quantity of 10 or 12 Bushells of Wheat, It being for ye provision of his Mothers Family. And for soe doeing this shall bee your Warrant. Given under my Hand at fforte James in New Yorke this 21th day of August 1672.

[Francis Lovelace.]

To ye Officrs at ye Custome House. These.

Letter to y^e^ Hon^ble^ y^e^ Governo^r^ & Councell at Rhode-Island. G. E. 4:197 (NYSL)

S^r^ &

Gen^t^.

I receiv'd yo^r^ Lett^r^ by y^e^ hands of M^r^ Sam: Davis, & was infinitely affected at y^e^ untimely end of Nicholas Davis, whose active Spirit for the promotion of a publick Interest will now appeare a great Loss to y^e^ Places and People hee converst w^th^; but Gods Will bee done; I am endeavouring to assist & direct his Disconsolate Relict & others of his Relac̃ons concerned in the Estate as farr as I can, w^th^in the narrow p^r^cincts of my Circle. To w^ch^ end I have caus'd M^r^ Mayo^r^ to make the best Enquiry hee can of his ffortune fixt in this place, & to give an Acco^t^ of it to Samuel; However I am to acquaint you, That if either M^rs^ Davis, or her Sonne bee designed to take Care of the Estate in these parts, there will bee a Necessity in either of them to take out Lett^rs^ of Administrac̃on, (in conformity to our Lawes) otherwise they will not bee able to Act; Whoever shall bee conceived proper there, I shall not scruple to afford them Letters; & therefore the sooner they resolve the better; Here are many great Pretende^rs^ to considerable Debts due to them from M^r^ Davis,[1] w^ch^ must bee clearly demonstrated, otherwise I shall esteem them but as bare p^r^tensions; This is as much as at p^r^sent I can bee subservient to yo^r^ Desires, or those interessed [*sic*] in the irreparable Losse of the Deceased. 1672 Aug. 25

By what I have now Acted in ffavour to these Concernes in yo^r^ Recommendac̃ons, you will collect the great Desire I have to live in all amicable ffriendship & Correspondency

[1] The claimants allowed are listed in *Records of New Amsterdam*, vol. 6, pp. 388–389 (September 17, 1672).

G. E. 4:197 (NYSL)

1672 Aug. 25

w^th my Neighbo^rs, & hope to meet w^th the same thoughts of others towards mee; Though lately I have been alarm'd of a Violent Action committed on M^r Jn^o Paine by some Authority under you; Neither can I learne the Malignity of his Crime to bee otherwise than a peaceable Desire of his, to bee settled (at last) under y^e just Power & Protection of his Royall Highness, in whose Limitts by Patent that Island is compriz'd but for present satisfaction that Affayre will bee referr'd to another Expostulation both by my selfe and others concern'd, In the meane time I have noe more but to assure you, In all amicable and Neighbourly Complacencyes, you shall finde mee to bee

Yo^r assured ffriend to
serve you—
Fran: Louelace.

Forte James y^e
25^th Aug: 1672.

G. E. 4:239 (NYSL)

Notice given to y^e Credito^rs of Nicholas Davis to bring in their Claimes of Debt to y^e Secretaryes w^thin a certaine time & care should bee taken for their paym^t.

1672 Dec. 7

These are to give notice to all persons within this Governm^t who have any pretence of Debt or Clayme to make upon the Estate of Nicholas Davis deceased, that they bring in their Acco^ts of Debt of Clayme to the Secretaryes Office in the ffort w^thin the space of six weeks after the Date hereof; Whereupon due course will bee taken to make Satisfaction to the respective Credito^rs as farr as the Estate will goe; And all Debto^rs to the said Nicholas Davis his Estate are likewise desired to bring in their Acco^ts of Debit within the

said limited time that a right understanding may bee had thereupon, & as near as may bee every one concernd may come by what of Right belongs unto him. Dated at New Yorke this 7th day of December 1672. G. E. 4: 239 (NYSL) 1672 Dec. 7

By Ordr of ye Governor
M. N. Secr.

The like for Jamaica & ye Inhabitants of ye North Riding.

For Gravesend, & ye Inhabts of ye West Ryding.

A Warrant directed to ye High-Sheriffe to give Doctor Taylor possession of Nicholas Davis his Estate at the White-Stone, for his 420ll Debt. G. E. 4: 239 (NYSL)

Whereas by an Ordr & Judgmt of ye late Speciall Cort of Assizes the Estate belonging to Nicholas Davis deceased lyeing at the White-Stone in the precincts of fflushing with the Stock & Appertenances was forthwith to bee apprized by 4 indifferent men nominated by ye sd Cort & possession thereof to bee deliverd unto Dr Hen: Taylor upon acct of a Debt of 420ll due unto him besides Charges of Suite; These are to require you to give notice to ye persons concernd, that they make an Apprizemt of ye said Estate at money price according to Ordr; & that you putt ye sd Doctor Taylor into possession of the House, Land, & Premisses at White Stone aforesd; And for soe doing this shall bee yor Warrt Given &c: 9th Decem: 1672. 1672 Dec. 9

[Francis Lovelace.]

G. E. 4: 266 (NYSL)

An Execuc̃on to bee serv'd upon the Estate of Nicholas Davis late deceased to satisfy 51^{li} to Docto^{r} Henry Taylour.

1672/3 Jan. 26 and Mar. 10

These are in his Mã^{ties} Name to require you to Levy upon any of the Goods & Chattells late belonging to Nicholas Davis deceased in any part of this Governm^{t} as will amount to the Sum̃e of fifty one pounds & eight Shillings, or value, to make Satisfaction for the Remainder of the Sum̃e of foure hundred & twenty pounds, wth all Charges, for y^{e} w^{ch} Doctor Henry Taylour had Judgm^{t} & Execution against his Estate at the White-Stone upon Long Island at the last Court of Assizes, together wth the Ordinary Charges of this Execution; for the doeing whereof this shall bee yo^{r} Warrant. Given under my hand at ffort James in New Yorke this 26th day of January. 1672.

[Francis Lovelace.]

To y^{e} High Sheriffe of Yorkshire upon Long Island, or whom else this may concerne.

This above written Execution was not sent out till y^{e} 10th day of March 1672. the first being miscarryed.

G. E. 4: 262 (NYSL)

A Warrant to protect M^{rs} Davis from Arrest.

1672/3 Feb. 20

Whereas M^{rs} Sarah Davis y^{e} Widdow & Relict of Nicholas Davis of Rhode Island Merch^{t} deceased, coming into these parts to make Enquiry after her said Husbands Estate here, had at her Request a Warrant to protect & keep her harmless from any Arrest or Trouble upon her Husbands Acco^{t}; Notwithstanding the w^{ch} some Persons have p^{r}sumed to molest her, although shee is noe way concerned in her said

Husbands Estate, either as Administratrix or Executrix, but on the contrary hath disowned & disclaymed all or any Right & Interest shee hath therein or thereunto; These presents Certify & Declare that all such Attachm^ts^ or Arrests as have been served upon her in relation to her Husbands Engagem^ts^ or Debts are void, & any Contract or Agreem^t^ made by her, or Promise or Security given by any one for her upon the said Acco^t^ of her Husbands Debts or Credit are made null, shee being noe way concerned in the Administratorship of his Estate, but other persons appointed in her stead, who have undertaken y^e^ same, to whom the said Credito^rs^ may make their Application. Given under my Hand at Fort James in New Yorke this 20^th^ day of ffebruary in the 25^th^ yeare of his Mã^ties^ Reigne, Annoq̃ Dñi. 1672.

G. E. 4:262 (NYSL)

1672/3 Feb. 20

[Francis Lovelace.]

To all whom this may
Concerne.

No. XC.

PETER GROENENDIJKE, *alias* SMITH — SEDUCTION AND BREACH OF PROMISE.

Warrant to fetch back Peter Groenendijke.

G. E. 4:274 (NYSL)

These are in his Mã^ties^ Name to require you to bee ayding & assisting to the Bearer hereof in apprehending the person of Peter Groenendijke als Smith, if hee can bee found w^th^in yo^r^ p^r^cincts, who very lately is departed this City, where hee stands accused of severall Misdemeano^rs^, & that you cause him to bee convey'd safely to this Place, & delivered into

1673 Mar. 29

G. E. 4:274 (NYSL) the Custody of the Sheriffe, for the doeing whereof this shall bee yo^r Warrant. Given &c: this 29^th of March 1673.

[Francis Lovelace.]

1673 Mar. 29

To all Justices of y^e peace, Constables, or other Officers w^thin this Governm^t, or whom else this may concerne.

This Warrant of Hue & Cry is desired too bee presented into y^e Neighbour Colonyes if Occasion shall bee thereof.

No. XCI.

NEW YORK CITY — CURE-MASTER AND GAUGER, AND PACKER.

G. E. 4:263 (NYSL) Commission for M^r Hoogeland to bee Cure-Mast^r

1672/3 Feb. 20 Whereas it is thought requisite, & for y^e Reputac̃on of the Governm^t that some knowing Man should bee appointed as Cure-Master to view the ffloure & Bread that is to bee transported in Caske out of this City, that it bee good and merchantable, & upon his Approbac̃on thereof to sett a Brand-Marke upon the Caske, w^ch shall bee known to bee the Cityes Marke, the w^ch will bee a meanes to p^rvent any Vnderhand Abuse therein, that would redound to the Discreditt & Disparagem^t of the Place, having conceived a good Opinion of the fittness & Capacity of M^r Christopher Hoogeland to performe the Trust afore-menc̃oned, I have thought fitt to appoint him to bee Cure-Master to view & marke the Caske of ffloure & Bread as afores^d, & doe recommend the said M^r Hoogeland to M^r Mayor, who is desired to pitch

upon some certaine Allowance to bee paid him for his Care & Trouble therein. And in regard there is noe certaine person appointed at this present to bee a Publick Gager of Vessells or Caske, I doe likewise appoint him the said Mr Hoogeland to bee the Publick Gager in this City either as to Liquids or Cask wth dry Goods relating to Tunnage, for wch also Mr Mayor is further desired to ascertayne the Salary. And the said Mr Hoogeland is to take his Oath for the true performance of the Trust reposed in him. Given under my Hand at ffort James in New Yorke this 20th day of ffebruary in the 25th yeare of his Mãties Reigne, Annoqꝫ Domini 1672.

[Francis Lovelace.]

G. E. 4:263 (NYSL)

1672/3 Feb. 20

The Governors Ordr & Approbacon of what was done at the Mayors Court, concerning a Packer, Viewer, & Gager of all Goods in Cask. Richard Ellett, & Mr Hoogeland being ye ꝑsons appointed for that Purpose.

G. E. 4:269 (NYSL)

Vpon ye Returne from ye Mayor & Aldermen of what should bee thought fitting to bee allowed unto the Packer of Beefe & Porke either for packing or viewing; That is to say, for packing of Beefe or Porke per Barrell six pence; & for viewing as Cure-Master three pence per Barrell, I doe well approve thereof, & that Richard Ellyott the Cooper bee ye person appointed for that Employmt, who is to bee sworne accordingly. And as to the Cure-Mastr of Bread & Floure, I doe think it reasonable for viewing & branding wth the Cityes Brand-marke, that hee bee allowed foure pence per Barrell, the one halfe to bee paid by the Buyer, the other by the Seller; & for Gaging of Liquids or Dry Goods as is proposed one Shilling per Hogshead or Puncheon & soe for greater or smaller Cask accordingly, for the Executing of

1672/3 Mar. 12

G. E. 4: 269 (NYSL)

1672/3 Mar. 12

wch Employmt I have appointed Mr Christopher Hoogeland, who is to take his Oath for the due performance of his Trust. Given &c: this 12th day of March 1672.

[Francis Lovelace.]

G. E. 4: 270 (NYSL)

Commission for Mr Hoogeland to bee Cure-Master, Gager, &c:

1672/3 Mar. 15

Whereas it hath been repr̃sented unto mee, & is thought requisite both for the Reputac̃on of this City & Government that some knowing Man should bee appointed as Supervizor̃ or Cure-Mastr̃ to view ye ffloure & Bread wch shall bee transported for payment of Merchandize to Strangers, or otherwise out of this Place, that it bee good & Merchantable, And also that there bee a sworne Publick Gager of Vessells or Caske either of Liquids or Cask wth dry Goods, relating to Tunnage from any Ship or Vessell when desired, Having conceived a good Opinion of the fittness & capacity of Mr Christopher Hoogeland Merchr̃ & an Inhabitant & free Denizen of this City to performe the Trust afore-mentioned, I have thought fitt to nominate, constitute, & Appoint, & by these presents doe nominate, constitute, & Appoint him the said Mr Christopher Hoogeland to bee Supervizor̃ or Cure Master to view the fflour & Bread to bee transported from hence in Caske as aforesaid, who upon his Approbac̃on thereof to bee merchantable is to cause a Brand marke to bee sett upon the said Caske, wch shall bee known to bee the Marke of this City, whereby all Vnderhand Dealings & Abuses may bee prevented, wch would otherwise redound to the Discreditt & Disparagemt of the place, and also that according to his Oath hee doe duely performe the Office and Trust of the Publick Gager in this City and parts adjacent. And forasmuch as that according to his Royall Highness

G. E. 4:270 (NYSL)

1672/3 Mar. 15

Lawes for this Province & Governm^t as well as severall Orders of the Gen^all Court of Assizes the English Weights and Measures are to bee putt in practice, & alone used within this City & Governm^t, the w^ch hath lately been taken into consideration by the Court of Mayo^r & Aldermen for what concerns this place; I doe likewise appoint the said M^r Christopher Hoogeland to view, try, & Seale such Weights & Measures whither of Liquids or otherwise, whereof there is to bee a due Standard, & the same to allow of and Seale in this City & parts adjacent according to the Directions in the Lawes, and for his Trouble & paines in all the Premisses hee the said M^r Hoogeland is to have & receive of the Persons concerned for the viewing and marking of ffloure and Bread, as also for the Gaging, as in my last Approbac̃on and Ord^r sent to the Court of Mayo^r & Aldermen is directed, & for the rest relating to Weights and Measures as in the Booke of Lawes is sett forth. Given under my hand & Seale at ffort James in New York this 15^th day of March in y^e 25^th yeare of his Mā^ties Reigne, Annoq̃ Domini 1672.

[Francis Lovelace.]

Certificate of M^r Hoogelands having taken his Oath, as touching his Place of Cure-Mast^r [1]

G. E. 4:272 (NYSL)

1672/3 Mar. 20

These are to certify all whom it may concerne that M^r Christopher Hoogeland hath taken his Oath for the due performance of the Trust reposed in him, of being Supervizo^r or Cure-Master for the Bread and ffloure to bee transported out of this City, & other Particulars exprest in the Commission hee hath from his Hono^r the Governo^r for the same. Dated the 20^th day of March 1672.

[1] A duplicate record of this certification, with no material variations from the above text, is given in *General Entries*, vol. 4, p. 275.

No. XCII.

NEW YORK AND BOSTON POST.

G. E. 4:243 (NYSL)

A Proclamacon for a Post to goe monthly from this City to Boston & back againe.

1672 Dec. 10

Whereas it is thought convenient & necessary in obedience to his Sacred Mãties Commands who enjoynes all his Subjects in their distinct Colonyes, to enter into a strict Allyance and Correspondency with each other, as likewise for the Advancemt of Negotiation, Trade, & Civill Commerce, & for a more speedy Intelligence & Dispatch of Affayres; That a Messenger or Post bee authoriz'd to sett forth from this City of New Yorke monthly, & thence to travaile to Boston, from whence within that Month hee shall returne againe to this City; These are therefore to give notice to all persons concern'd, That on the first day of January next, the Messenger appointed shall proceed on his Journey to Boston; If any therefore have any Letters or small portable Goods to bee conveyed to Hartford, Connecticott, Boston or any other parts in the Road, they shall bee carefully delivered according to the Directions by a sworne Messenger and Post, who is purposly imployed in that Affayre; In the Interim those that bee dispos'd to send Letters, lett them bring them to the Secretaryes Office, where in a lockt Box they shall bee preserv'd till the Messenger calls for them. All persons paying the Post before the Bagg bee seald up. Dated at New Yorke this 10th day of Decembr 1672.

By Ordr of ye Governor

The Oath given to the Post-Master. G. E. 4: 253 (NYSL)

You doe sweare by the Everliving God, that you will truly & faithfully discharge the Trust reposed in you as a Post-Master, and that you will neither directly nor indirectly detayne, conceale or open any Letters, Packetts, or other Goods committed to your Charge, but carefully & honestly deliver or cause to bee delivered all such Letters, Packetts, or other Goods to the Persons they properly belong unto, & that you will make all the Expedition in passing & repassing the severall Stages w^th^ all speed, & to make noe more Stay then necessarily belongs to the refreshing your selfe and Horse, & in all things truly & soberly to comport yo^r^ selfe soe, as belongs to the Trust reposed in you, and as a Post-Master ought to doe. [1672/3 January]

Soe help you God. &c:

Instructions for y^e^ Post-Mast^r^ G. E. 4: 252 (NYSL)

In the first place you are to take yo^r^ Oath of ffidelity w^ch^ the Secretary shall administer to you, your Duty as to the Generall is included in that Oath. 1672/3 Jan. 22

Next, you are to comport yo^r^ selfe w^th^ all Sobriety & Civility to those that shall intrust you, & not exact on them for the prices both of Letters and Pacquetts.

You are principally to apply yo^r^ selfe to the Governo^rs^ especially Governo^r^ Winthrop, from whom you shall receive the best Direction how to forme y^e^ best Post-Road.

You are likewise to advize where the most commodious place will bee to leave all the by-Lette^rs^ out of yo^r^ Road, w^ch^ when having it once well fixt, you are not only to leave the Letters there, but at your returne to call for Answers, & leave a Publication of your Resolutions, the w^ch^ you must

G. E. 4:252 (NYSL) cause to bee disperst to all parts, that soe all may know when & where to leave their Letters.

1672/3 Jan. 22 You are to give mee an Accot of Negotiation at this time to the end I may bee satisfyed of all your proceedings, & bee able able to assist you if Occasion shall require.

Where you think it requisite you are to marke some Trees that shall direct Passengers the best way, & to fix certaine Houses for your severall Stages both to bait & lodge at.

When any persons are desirous to travaile wth you, you are to treat them civilly, & to afford them yor best help & assistance, that I may heare noe Complaint of you.

You shall doe well to provide yor selfe of a Spare Horse, Horne, good Port-Mantles, that soe neither Letters nor Pacquets receive any Damage under yor hands.

There are some other Consideracons wch I shall forbeare to mention till yor returne, & I receive a further Accompt of you, and soe God bless all yor honest Vndertakings.

ffran: Lovelace.

ffort James ye 22d of
Janry. 1672.

You are also to detect & cause to bee apprehended all fugitive Souldyers & Servants runn away from these parts.

No. XCIII.

YORKSHIRE — HOLDING OF COURTS.

G. E. 4:71 (NYSL) The Corts of Sessions in ye North & West Ridings are this yeare to be alterd as followeth.

1671 Nov. 20 Whereas It was heretofore practized that in holding ye Corts of Sessions upon Long Island in ye Month of December,

G. E. 4:71 (NYSL)

1671 Nov. 20

y^e Cõ:^rt held for y^e East Rideing was upon y^e first Wednesday of that Month, for y^e North y^e second, & for y^e West Rideing the third Wednesday, since w^ch time y^e Co:^rt for y^e East Rideing hath upon their Request been alter'd from y^e Month of December to y^e Month of March, the other two Courts retayning their usuall time. And it being thought more convenient That some Alteration should likewise bee allowed unto them, That is to say, y^e Co:^rt for y^e North Rideing to beginn on y^e first Wednesday, & that for y^e West on y^e second, in y^e Month of December aforesaid; It is ordered That y^e Co:^rts of Sessions shall be held in that manner now proposed, of w^ch each Towne is to have Notice, That those who have Busyness, as well as others required to give their Attendance, may duely observe the same. Given under my Hand at fforte James in New Yorke this 20:^th day of Novemb:^r 1671. ffran: Louelace

To y^e Justices of y^e peace & all
others concerned in y^e N: & West Ridings.

G. E. 4:230 (NYSL)

Notice given to y^e Clarks of y^e Co:^rts of Sessions of y^e Speciall Co:^rt of Assizes. on Decem: 6:^th 1672.

1672 Nov. 9

Whereas upon y^e first Thursday in Decemb:^r next a Speciall Co:^rt of Assizes is appointed to bee held in this City, soe that the Co:^rt of Sessions ordered y^e last yeare to beginn upon y^e first Wednesday of the said Month cannot bee attended this yeare in regard the Justices & those of the Councell are obliged to give their Attendance here the next day; It is therefore Ordered, that the time for holding y^e Court of Sessions for the North Riding this next Month of Decemb:^r shall beginn as formerly upon the second Wednesday, & for the

G. E. 4:230 (NYSL) West on y^e third Wednesday, but for the time to come as the last yeare unless upon the like extraordinary Occasions, Notice bee given to the contrary. Given &c: this 9^th of November 1672.

1672 Nov. 9

[Francis Lovelace.]

To y^e Clarkes of y^e respective Co^rts of Sessions of y^e North & West Ridings who are to give notice to y^e Justices &c:

No. XCIV.

YORKSHIRE — CAPTAIN JOHN MANNING, HIGH SHERIFF.

G. E. 4:26 (NYSL) Capt^n Manning his Commission for High Sheriff.

Francis Lovelace Esq^r &c:

1671 Sept. 7 Whereas y^e Court of Sessions for y^e West Rideing of Yorkshire upon Long Island did according to Ord^r p^rsent unto mee y^e Names of three persons out of w^ch I am to Elect one to be High-Sheriff in y^e place & stead of M^r Robert Coe late High Sheriff for y^e North-Rideing, whose time is somewhile since expired; To y^e End y^e Law may have its due Course & Vigour, and haveing conceiv'd a good Opinion of y^e ffitness & Capacity of you Capt^n John Manning a Justice of the Peace of y^e West-Rideing afores^d, and one of y^e three whose Names were returned unto mee, I have therefore Nominated, & Appointed, and by these p^rsents doe Nominate and Appoint you y^e said Capt^n John Manning to be High Sherriff of Yorkshire upon Long Island, & p^rcincts from y^e Day of the Date hereof untill y^e last Day

of June w^ch^ shall be in y^e^ yeare of our Lord 1672; Of y^e^ w^ch^ all Persons concerned are to take Cognizance, and to give you that Respect and Obedience as is due to yo^r^ Office; And you the said Capt^n^ John Manning are in all Things and Matt^rs^ relateing to yo^r^ Office to be Regulated by y^e^ Lawes of this Governm^t^, & such Ord^rs^ and Directions as from time to time you shall receive from mee. Given under my Hand & Seale at fforte James in New Yorke y^e^ 7^th^ day of September, in y^e^ 23^d^ yeare of his M̃a^ties^ Reigne, Annoq̃ Dñi. 1671.

G. E. 4:26 (NYSL)

1671 Sept. 7

Fran: Lovelace.

Cap^t^ Jn^o^ Manning's second Commission for High Sheriff.

G. E. 4:201 (NYSL)

Whereas Cap^t^ Jn^o^ Manning one of y^e^ Justices of the peace of the West-Riding hath officiated in the Employment of High-Sheriff of Yorkshire upon Long Island and Precincts for one yeare past, for the which hee had my Commission, & the High-Sheriffs of the East and North Ridings his Predecesso^rs^ having continued in that Employment one yeare more then ordinary, w^ch^ Priveledge was likewise consented unto should bee continued unto the West Riding, I have therefore thought fitt and by these Presents doe Order & Appoint that Cap^t^ John Manning doe continue High Sheriff of Yorkshire upon Long Island and Precincts from y^e^ Day of the Date hereof untill y^e^ last day of June w^ch^ shall bee in y^e^ yeare of our Lord 1673, of the w^ch^ all Persons concern'd are to take cognizance, and to give him that respect & Obedience as is due to his Office, and the said Cap^t^ John Manning is in all Things and Matters relating thereunto to bee regulated by the Lawes of this Governm^t^, and such Ord^rs^ & Directions as from time to time hee shall receive from Mee.

1672 Sept. 7

G. E. 4:201 (NYSL)

1672 Sept. 7

Given under my Hand and Seale at fforte James in New Yorke the 7th day of Septembr in ye 24th yeare of his Mãties Reigne, Annoqꝫ Domini 1672.

[Francis Lovelace.]

No. XCV.

DANIEL LANE OF BROOKHAVEN — INCEST AND CONFISCATED ESTATE.

Col. MSS. 22:147 (NYSL)

[Special Warrant for arrest of Daniel Lane.][1]

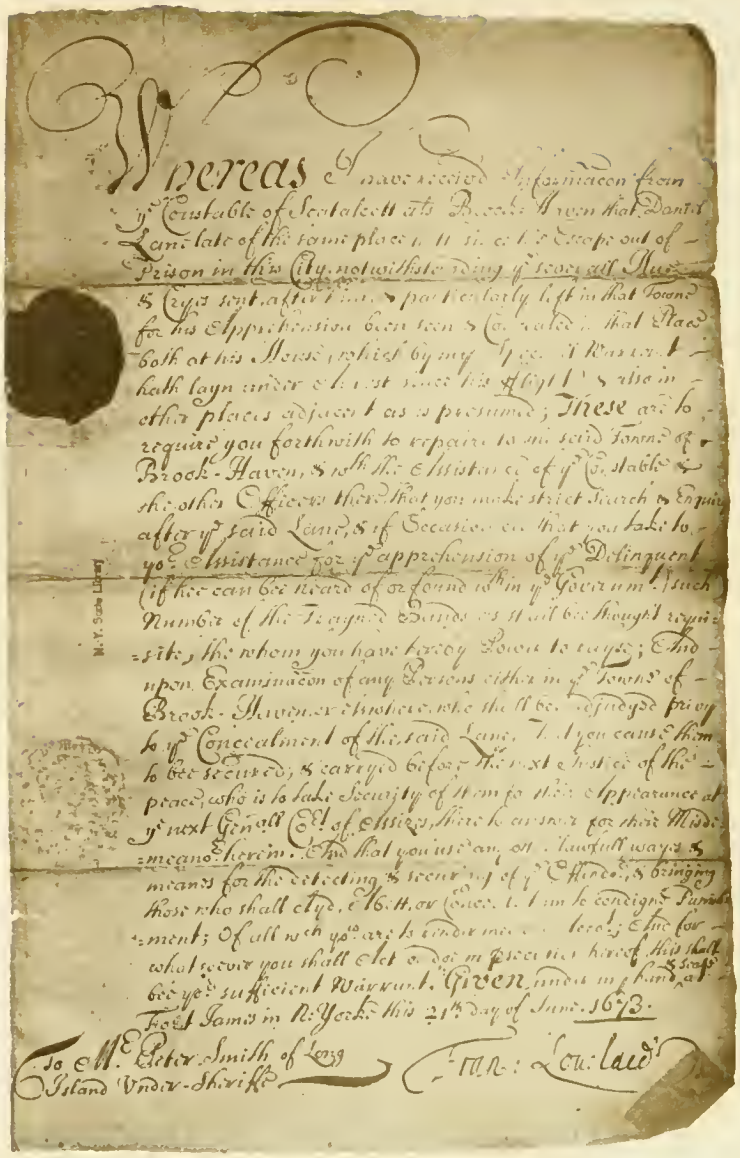
1673 June 21

[Seal]

Whereas I have receiv'd Informacõn from ye Constable of Seatalcott alʒ Brook-Haven that Daniel Lane late of the same place hath since his Escape out of Prison in this City, notwithstanding ye severall Hue & Cryes sent after him, & particularly left in that Towne for his Apprehension, been seen & Concealed in that Place both at his House (which by my Speciall Warrant hath layn under Arrest since his fflight) & also in other places adjacent as is presumed; These are to require you forthwith to repaire to the said Towne of Brook-Haven, & wth the Assistance of ye Constable & the other Officers there, that you make strict Search & Enquiry after ye said Lane, & if Occasion bee that you take to yor Assistance for ye apprehension of ye Delinquent (if hee can bee heard of or found wthin ye Governmt) such Number of the Trayned Bands as shall bee thought requisite, the whom you haue hereby Power to rayse; And upon Examinacõn of any Persons, either in ye

[1] There is also an engrossed copy, with no material variations, in *General Entries*, vol. 4, p. 286.

Opposite p. 801.



Whereas I have received Information from
y^e Constable of Seatalcott als Brooke Haven that Daniel
Lane late of the same place did lately escape out of
Prison in this City notwithstanding y^e Search all Hue
& Cry sent after him & particularly Light in that Town
for his Apprehension been seen & Concealed in that Place
both at his House (which by my Spec. Warrant
hath layn under Seizure since his Flight) & also in
other places adjacent as is presumed; These are to
require you forthwith to repaire to ye said Towne of
Brook-Haven, & with the Assistance of y^e Constable &
the other Officers there that you make strict Search & Enquiry
after y^e said Lane, & Securely Keep that you take to
yo^r Assistance for y^e apprehension of y^e Delinquent
if hee can bee heard of or found in y^e Jurisdiction & such
Number of the Trayned Bands as shall bee thought requi-
site by them whom you have hereby Power to raise; And
upon Examination of any Persons either in y^e Towne of
Brook-Haven or elsewhere who shall be reasonably prey
to y^e Concealment of the said Lane, That you cause them
to bee Secured & carryed before the next Justice of the
peace who is to take Security of them for their Appearance at
y^e next Gen^all Ct of Assizes, there to answer for their Misde-
meano^rs herein. And that you use all Lawfull ways &
means for the detecting & securing of y^e Offenders & bringing
those who shall clye Rebellion or Sedition to Condigne Punish-
ment; Of all w^ch yo^u are to take notice & Govern
your selves accordingly & for
what yo^u shall Act & do in pursuance hereof this shall
bee yo^r sufficient Warrant. Given under my hand & Seal
Fort James in N. Yorke this 21^th day of June 1673.

To M^r Peter Smith of Long Island Under-Sheriffe

Tho: Lovelace

N.Y. State Library

ORIGINAL WARRANT FOR ARREST OF DANIEL LANE

With Autograph of Governor Lovelace, and Seal.

(Reduced from 12 by 7½ inches.)

Towne of Brook-Haven or elsewhere, who shall bee adjudged privy to ye Concealment of the said Lane, That you cause them to bee secured; & carryed before the next Justice of the peace, who is to take Security of them for their Appearance at ye next Genall Cort of Assizes, there to answer for their Misdemeanor herein. And that you use any other lawfull wayes & meanes for the detecting & securing of ye Offendor, & bringing those who shall Ayd, Abett, or Conceale him to condigne Punishment; Of all wch you are to render mee an Acco:t; And for whatsoever you shall Act or doe in psecution hereof, this shall bee yor sufficient Warrant. Given under my hand & seale at Fort James in N: Yorke this 21th day of June. 1673. Col. MSS. 22:147 (NYSL) 1673 June 21

Fran: Louelace[1]

To Mr Peter Smith of Long Island Vnder-Sheriffe —

No. XCVI.

KINGSTON — ESTATE AND DEBTS OF REYNER VANDER COOLEY.

An Ordr concerning ye Mortgage upon ye Estate of Reijner van der Cooley. C. A. 2:507 (NYSL)

Whereas I am giuen to understand that Asser Levy of this Citty as Attorney for Rabbe Couty had a mortgage upon ye Estate of Reijner vander Cooley at Kingston in 1670 Apr. 15

[1] Original signature.

C. A. 2:507 (NYSL)

Esopus for security of a certaine Sume of money due from vander Cooley unto ye said Rabbe Couty wch said mortgage was recorded & left in ye hands of Mr William Beeckman ye Schout there, Notwithstanding wch ye said Vander Cooley hath prsumed to make sale of ye said Estate to seuerall othr persons for the payment of othr debts since that tyme contracted ye wch will tend very much to ye prjudice of ye former Creditors if not prvented, Upon ye request of ye said Asser Levy I haue thought good to recomend ye Examination of ye matter to you & do likewise ordr if it be as is alleadged That ye mortgage be first satisfyed out of ye Estate of ye said Vander Cooley before ye lattr debts be paid wch is consonant to ye Lawes of ye Governmt as well as to reason, for that a latter sale cannot be of Validity untill ye former Mortgage be taken of: Given undr my hand at ffort James in New Yorke this 15th day of Aprill 1670.

1670 Apr. 15

[Francis Lovelace.]

To ye Schout & Comissaryes at Esopus who are to retorne an Account hereof.

C. A. 2:606 (NYSL)

A Confirmation of ye first mortgage or Judgmt made to Nicholas de Meyer agt ye Estate of van der Cooley.

1670 Oct. 21

Whereas I did upon ye 15th day of Aprill last issue forth an Ordr directed to ye Schout & Comissaryes at Esopus to make inquirye & Examination into a certaine matter in difference betweene Asser Levye of this Citty as Attorney & on ye behalfe of Rabba Couty & Reyner van der Cooly to ye said Asser Levy for securitye of a certaine Sume of money due unto ye said Rabba Couty, And it having been made appeare unto me, That ye said Land was prmortgaged

upon good & valuable considerations to Nicholas de Meyer of this Citty, or a Judgment first obteyned by him These are to Certifye & declare, That ye first mortgage or Judgment made to ye said Nicholas de Meyer is to take place, & ye said Asser Levye or Rabba Couty are to haue their remedye & recourse against ye said Vander Cooley or any othr Estate he hath but not against that so prmortgaged or Judgmt obteyned for as aforesaid any ordr to ye Contrary heretofore graunted notwthstanding. Given undr my hand at ffort James in New Yorke this 21th day of Octobr 1670.

[Francis Lovelace.]

C. A. 2:606 (NYSL)

1670 Oct. 21

An Ordr made on ye behalfe of Mr Asser Levy, giving preference to his Debt & Mortgage upon ye Estate of Reyneer Van der Cooley.

G. E. 4:82 (NYSL)

Whereas there was heretofore a Mattr in difference between Nicolas de Meijer & Asser Levy debated before my selfe & Councell, touching ye prference of paymt of Moneys due unto them upon a Judgmt obtained by one, & a Morgage made to ye other from Reyneer Van der Cooley, & it being adjudged that ye Judgmt of Nicholas de Meijer being of a former Date should first take Place, & that Asser Levy should be next paid his Mortgage, Notwithstanding ye wch, although ye full Judgmt (as I am given to understand) hath been satisfyed & paid, wth an Overplus, That is to say, two Thousand, one hundred Guilders in ye place of nineteen hundred, yet ye said Nicholas de Mijer haveing some Pretences of a New Debt, or of Charges upon ye old, hath by his Attorney laid an Attachmt upon ye remaining part of ye Estate of Reyneer Van der Cooley at Esopus, wch was designed to make paymt to ye said Asser Levy, soe that hee is debarred of his Right thereunto, Vpon Consideracon

1671/2 Jan. 9

G. E. 4:82 (NYSL) had hereupon, It is Ordered, That if it bee as is suggested, That is to say, That Nicholas de Mijer hath by himselfe or his Order receiv'd y^e^ Sum̃e in his first Judgm^t^ specifyed, 1671/2 Jan. 9 That then y^e^ Attachm^t^ bee taken off, & y^e^ Debt & Mortgage of Asser Levy be preferr'd before any other Collaterall Debt or Engagem^t^ upon y^e^ said Estate, after y^e^ w^ch^ Nicholas de Mijer or any other Credito^r^ may have their Recourses to be paid out of y^e^ Remaind^r^, if any there shall bee; Of w^ch^ y^e^ Offic^rs^ in Esopus are to take Care That this Order bee forthw^th^ putt in Execuc̃on. Given &c: this 9^th^ day of January 1671.

Fran Lovelace.

To Cap^t^ Chamb^rs^, Cap^t^ Pawling, & y^e^ Schout & Com̃issaryes at Kingston in Esopus.

No. XCVII.

NEW YORK CITY — ISAAC BEDLOW CAPTAIN OF FOOT COMPANY.

G. E. 4:110 (NYSL) Commission for M^r^ Isaack Bedloo to bee Cap^t^ of a ffoot-Company in this City.

1669 By Vertue of y^e^ Commission & Authority unto mee given by his Royall Highness James Duke of Yorke and Albany &c: I doe Constitute & Appoint you Isaack Bedloo to bee Cap^tn̄^ of a Foot Company Lysted or to bee Lysted w^th^in this City & Precincts. You are to take into yo^r^ Charge & care y^e^ said Company as Captaine thereof, & duely to Exercize both yo^r^ inferiour Offic^rs^ & Souldyers in Armes, &

to use your best care, skill, & Endeavour to keep them in good Order & Discipline; hereby requiring all inferiour Officers & Souldyers under yo^r Command to obey you as their Captaine; And you are likewise to observe & follow such Orders & Directions as you shall from time to time receive from mee or other yo^r superiour Offic^rs according to y^e Discipline of Warr. Given under my Hand & Seale y^e 1^rst day of [*blank*] in y^e 21^th yeare of his M^ties Reigne, Annoq^ Domini 1669. G. E. 4:110 (NYSL) 1669

[Francis Lovelace.]

Commission granted y^e same time to M^r Christopher Hoogeland to be Lieveten^t of y^e same Company. drawn according to this forme.

Commission granted at y^e same time likewise to M^r Nicholas Bayard to bee Ensigne of y^e same Company.

No. XCVIII.

ALBANY AND KINGSTON — EXCISE.

An Ord^r or Proclamation about y^e Excize of Liquo^rs carryed to Albany & Sopez. G. E. 4:272 (NYSL)

Whereas severall Comp^tts have been made unto mee of the irregular & unjust practices of the Masters of severall Sloopes, Vessells, & Boates goeing up the River, & trading at Kingston in the Esopus & Albany, frequently Entring in the Custome-house here the Liquo^rs they carry up for Kingston, w^ch notwithstanding are not landed there, the said 1672/3 Mar. 14

G. E. 4: 272 (NYSL)

1672/3 Mar. 14

Mast.rs pretending they must carry them for Albany, although oftentimes they are delivered by the way into Canooes or privily sent away in their own Boates, whereby the Grand Packt or Excise w.ch is intended towards the support & maintenance of his Royall Highness Garrisons is defrauded in one or both the said places, the w.ch is against severall Ord.rs & Directions heretofore made to the contrary; These are to require all Masters of Sloopes, Vessells, or Boates great or small who shall hereafter goe up and trade, or carry Goods to either of the aforesaid Places, that they make a due Entry at the Custome house here of all sorts of Liquo.rs w.ch they shall soe carry up, that is to say, of Brandy, Rumm, Distilled Waters, or any other sort of Liquo.rs, lyable to pay y.e Duty of Excize; And in case any Master of such Sloopes, Vessells, or Boates, goeing up the River as aforesaid shall bee found guilty of the like fraud or deceipt, and the said Liquo.rs found on board, over & above what is particularly exprest in the Passe or Clearing Bill at the Custome house, the same shall not only bee forfeited, & at the Governours Disposall, but the Master shall also bee lyable to pay as a ffine the Sum̃e of [*blank*] hundred Guild.rs Seaw.t or value for y.e first Offence, & for the next to bee dealt withall according to the Act of Parliament in such Cases provided, where Mast.rs of Vessells shall not make due Entry, And for what Liquo.rs shall bee delivered by the said Mast.rs either at Kingston or Albany, they are likewise required to bring a Certificate thereof under the Schouts & ffarm.rs hands of y.e quantityes, & qualityes they shall Land at either place, w.ch shall bee unto them a sufficient Discharge. Given under my hand at ffort James in N: Yorke this 14.th day of March 1672.

[Francis Lovelace.]

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